

THE
SECOND PART
OF
THE PRESENT
STATE
OF
England:

Together with
DIVERS REFLECTIONS
UPON
The Antient State thereof.

By EDWARD CHAMBERLAYNE
Dr. of Laws, and Fellow of the Royal Society.

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Corrected, and newly Augmented.

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THE
SECOND PART
OF
THE PRESENT
STATE
OF
England;

As it is
represented
by
the several
Persons

who have
been
employed
in the
Service

of the
King
and
State

in the
Year
1701

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London

ORNATISSIMO
CONSULTISSIMOQ

VIRO

D. JOS. WILLIAMSON

ARMIG.

E SOCIETATE REGIA
LONDINENSI,

IN REGNI COMITIIS
SENATORI,

REGIÆ

MAJESTATI
AB ARCHIVIS STATUS

ET

INTIMIORI CONCILIO
A SECRETIS,

HOC

QUALE-QUALE

ENCHIRIDIUM

L. M. D. C. Q.

E. C.

OMISSIONE
COMMITTITUR

IN
ARMIS

AGRESTAT REGIA

IN OMNIBUS
MOTIBUS

IN
TANTIS

IN
TANTIS

IN OMNIBUS
SECRETIS

IN
SECRETIS

IN OMNIBUS
SECRETIS

IN OMNIBUS
SECRETIS



TO THE
READER.

IN a former
small Treas-
ure, Intituled, The Pre-
sent State of England,
The Author having gi-
ven a succinct Account

A 4 of

To the Reader.
of the Government in
General, as it is Mo-
narchical; and there-
in, of the King, Queen,
Princes and Princesses
of the Blood; of the
Great Officers of the
Crown; of the Kings,
Queens; and Duke of
Yorks Courts, of the
Three States of Eng-
land,

To the Reader.
land, Clergy, Nobility,
and Commons,
and of divers other remarkable.

In this Second Part
of the Present State of
England, he hath endeavored
to describe with the
like brevity, the Particular
Government of
England, Ecclesiastical,

To the Reader:
cal, Civil, and Military:
The several Courts of
Justice, the Offices and
Officers belonging there-
unto; and (for the sake
of Forneigners) to exhi-
bite a particular Descrip-
tion of the Famous City of
London, of the two Re-
nowned Universities, &c.
In erecting such

To the Reader.

A spacious and various
Edifice; the Spectator,
at first view, will hardly
conceive how much pains
was bestowed in digging
the Foundation, in rais-
ing Scaffolds, in find-
ing, conveying, and fir-
ing Materials, in contri-
ving the Architecture,
in removing the Rubbish,
mob &c.

To the Reader.
&c. Other Builders
consult onely their own
Brains, and the Dead,
(that is Books) where-
unto access may be had
at all hours; but in this
Work, the Living and
the choicest among them,
were to be advised with,
whereof some were
far distant, others sel-
dom

To the Reader.

dom at leifure, some unwilling to communicate their Knowledge, others not at all affable.

However, if the Reader, reaping in few hours, the Fruits of many Moneths labor; shall receive any content, the Author will not onely

To the Reader
only be satisfied for
this but encouraged
for another like Enter-
prise.

However, if the
order, respecting the
Firm of the
Monsieur labor
shall receive any content
the Author will not
only



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W. H. O. O.

Angliæ Notitia,
OR, THE
PRESENT STATE
OF
ENGLAND:

The Second Part.

*Of the Government of England in
particular; and First of the
Kings most Honourable Privy-
Council.*

THe Government of England in
particular is either Ecclesiasti-
cal, Civil or Military, wherein
the King is supreme Governour
in all Causes, and over all Per-
sons; from him is derived all Authority
and Jurisdiction. He is *quasi Intellectus
Agens, Forma formarum, vel potius Mun-
di Anglici Deus*, And the *Primum Mobile*
B thereof,

The present State

thereof, from whence all the Inferiour Orbes derive their Motion, is that Noble, Honourable, and Reverend Assembly. called *Concilium secretum, privatum vel Continuum Regis Concilium*, which is a Court of such Antiquity and Honour, that it may be said to be higher then the highest Court of *England* (as the Parliament is usually called) for our Parliaments are not only much younger, but also may truly be said to be the Productions of the Kings Privy-Council, as appears by the words of the Writ for summoning of a Parliament. This is the highest watch-Tower of the Nation, wherein the King, with all his good Centinels and Watchmen about him, takes a careful survey of all his Dominions, and sometimes of all the Dominions of the World, as any of them have any Relation to his, Where he Consults and Contrives how to protect his numberless Subjects, not onely from Injuries amongst themselves, but from the wrongs and violences of all other Nations, where he doth consult and watch for the publick good, Honour, Defence, Profit, and Peace of all his people.

Before the latter end of *Henry the Third*. *Quod provisum fuit per Regem & Concilium suum Privatum sigilloque Regis confirmatum proculdubio legis vigorem habuit*, saith *Spelman*.

The Primitive and ordinary way of Government in *England*, was by the King and his Privy-Council, and all our Kings have

have acted much by it, determining Controversies of great importance, sometimes touching Lands and Rights between party and party, whereof there are very many Precedents, and the Judges of *England* in some difficult cases were not wont to give Judgment, until they had first consulted the King or His Privy-Council!. Moreover the Lords and Commons assembled in Parliament, have oft-times transmitted Matters of high moment to the King and His Privy Council, as by long experience and wisdom better able to judge of, and by secrecy and expedition better able to transact some State Affairs, then all the Lords and Commons together.

At present, the King and his Privy-Council take Cognisance of few matters that may well be determined by the known Laws and ordinary Courts of Justice, but onely, as aforesaid, consult for the Publick Good, Honour, Defence, Safety, and Benefit of the Realm, not meddling with matters that concern Freeholds, but matters of Appeal, and sudden Emergencies.

The Lords of the Privy-Council are as it were a part of the King, incorporate with him and his Cares, bearing upon their Shoulders that great weight, that otherwise would lie wholly upon His Majesty, wherefore of such high value and esteem they have alwayes been, that if a man did but strike in the House of a Privy-Counsellor, or elsewhere in his presence, he was grievously Fined for the same.

The present State

and to conspire the death of any of them was made Felony, in any of the Kings servants within the *Check Roll*, and to kill one of them was High-Treason.

A Privy-Councillor, though but a Gentleman, shall have precedence of all Knights, Baronets, and younger Sons of all Barons and Viscounts.

The substance of their Oath is, That they shall according to their power and discretion, Truly, Justly, and Evenly, Counsel and Advice the King, in all matters to be Treated in His Majesties Council, that they shall keep secret the Kings Counsel, &c.

By force of this Oath, and the Custom of the Kingdom of *England*, a Privy-Councillor is made without any Patent or Grant, and to continue only during the Life of the King that makes him, nor so long unless the King pleaseth.

Heretofore there hath been usually a Lord President of the Kings Privy Council, a Dignity of so high Repute, that by a Statute of *Henry* the Eighth, he is to take place in publick, next to the Lord High Treasurer of *England*: His Office was to speak first to business, to report to His Majesty the Passages and State of businesses transacted at Council-Table. The last Lord President was the Earl of *Manchester*, Father of the late Lord Chamberlaine.

To His Privy-Counsellors the King of *England*, may declare or conceal from them

them whatsoever he alone judgeth fit and expedient, *qua in re* (saith the Excellent Sir Tho. Smith) *absolutissimum est hoc Regnum Angliæ præ Vnetarum Ducatu aut Lacedamoniorum Principatu.*

The King with the advice of His Privy-Council doth publish Proclamations binding to the Subject, provided that they are not contrary to Statute or Common-Law.

In cases where the publick peace, honour or profit of the Kingdom may be endangered for want of speedy redress, there the King with His Privy Council usually make use of an absolute power if need be

The Members of this most Honourable Council are such as his own free-Will and meer Motion shall please to choose, and are commonly men of the highest rank, eminent for Estates, Wisdom, Courage, Integrity, &c. And because there are few cases of moment so temporal, but that they may some way relate to spiritual affairs, therefore according to the general Rules of Policy and Government, which God himself ordained amongst his chosen people the Jews, the Privy Council (as well as the great Council of Parliament) is composed of Spiritual as well as Temporal persons, some of the principal Bishops of England have in all times been chosen by His Majesty to be of His Privy-Council.

The present State

The Lords of His Majesties Privy-Council, are at present these that follow.

His Royal Highness the Duke of York.

His Highness Prince Rupert.

Gilbert Lord-Archbishop of Canterbury.

Sir Orlando Bridgman Knight and Baronet, Lord Keeper of the Great Seal.

John Lord Roberts Lord Privy-Seal.

George Duke of Buckingham, Mr. of the Horse to His Majesty.

James Duke of Monmouth.

James Duke of Ormond Lord Great Steward of His Majesties Household.

Henry Marquis of Dorchester.

Henry Earl of Ogle.

Thomas Earl of Ossery.

Robert Earl of Lindsey, Lord Great Chamberlain of England.

Henry

Par. 2. of England.

7

Henry Earl of *St Albans*, Lord Chamberlain of His Majesties Household.

Ambrey Earl of *Oxford*.

John Earl of *Bridgwater*.

Robert Earl of *Leceister*.

Edward Earl of *Sandwich*.

Arthur Earl of *Anglesey*.

John Earl of *Bath*, Groom of the Stole to His Majesty.

Charles Earl of *Carlisle*.

William Earl of *Craven*.

John Earl of *Rothes*, His Majesties Commissioner in *Scotland*.

John Earl of *Lotberdale*, Secretary of State in *Scotland*.

John Earl of *Tweeddale*.

John Earl of *Middleton*.

Richard Earl of *Carbury*, Lord President of *Wales*

Roger Earl of *Orrery*.

Humphrey Lord Bishop of *London*.

Henry Lord *Arlington*, one of His Majesties Principal Secretaries of State.

Francis Lord *Newport*, Comptroler of His Majesties Household.

The present State.

John Lord Berkeley Lord Lieutenant of Ireland.

Densel Lord Holles.

Anthony Lord Asbley, Chancellor of the Exchequer.

Sir Thomas Clifford Knight, Treasurer of His Majesties Household.

Sir George Carteret Knight, Vice-Chamberlain to His Majesty.

Sir John Trevor Knight, one of His Majesties Principal Secretaries of State.

Sir Thomas Ingram Knight, Chancellor of the Dutchy.

Sir William Morice Knight.

Sir John Duncom Knight.

Sir Thomas Chicheley Knight, Master of the Ordnance.

These are all to wait on his Majesty, and at Council-Board sit in their Order, bare-headed when His Majesty presides.

At all Debates the lowest delivers his opinion first, that so he may be the more free, and the King last of all declares His Judgment, and thereby determines the matter in Debate.

The time and Place of holding this Council is wholly at the Kings pleasure, but it is most commonly held in the morning

ning on *Wednesday* and *Friday* out of Parliament time and Terme time, and in the Afternoon, in time of Parliament and Term.

A Council is seldom or never held without the Presence of one of the Secretaries of State, of whose Office and Dignity much more considerable in *England* than in other Nations, take here this brief Account.

The Kings of *England* had antiently but one Secretary of State, until about the end of *Henry* the Eighth his Reign, it was thought fit, that weighty and important Office should be discharged by two Persons, both of equal authority, and both stiled *Principal Secretaries of State*. In those dayes, and some while after, they sat not at Council Board, but having prepared their business in a Room adjoining to the Council Chamber, they came in, and stood on either hand of the King; and nothing was debated at the Table, until the Secretaries had gone through with their Proposals. But Queen *Elizabeth* seldom coming to Council, that Method was altered, and the two Secretaries took their places as Privy-Counsellors; which Dignity they have retained and enjoyed ever since: and a Council is seldom or never held without the presence of one of them at the least.

Their employment being of extraordinary trust and multiplicity, renders them most considerable both in the eyes of the

The present State

King, upon whom they attend every day as occasion requires; and of the Subjects also, whose requests and desires are for the most part lodged in their hands, to be presented to the King, and alwayes to make dispatches thereupon, according to His Majesties Answers and Directions.

As for Forraign Affairs, the Secretaries divide all the Kingdoms and Nations which have intercourse of business with the King of England, into two grand Provinces, whereof each Secretary taketh one to himself, receiving all Letters and Addresses from, and making all dispatches to the several Princes and States comprehended within his own Province.

But in all matters of home concern, whether they relate to the Publick, or to particular persons, both the Secretaries do equally and indistinctly receive and dispatch whatsoever is brought to them, be it for the Church, the Militia, or private Grants, Pardons, Dispensations, &c.

They have this special Honour, that if either of them be a Baron, he taketh place, and hath the precedence of all other persons of the same degree, though otherwise by their Creation some of them might have right to precede him; and a Knight in like manner, if he hath no other qualification.

They have their several Lodgings appointed them in all the Kings Houses, as well for their own Accommodation, as for their Office, and those that attend upon

it. They have also a very liberal Diet at the Kings charge, or Board-wages in lieu of it.

To shew how considerable their place is, their settled allowance from the King in Salary and Pension is little less than Two thousand pounds *Sterling per annum*, to each of them.

The Secretaries and Clerks whom they imploy under them are wholly at their own choice, and have no dependance upon any other power or person besides themselves.

They have the Custody of that Seal of the King, which is properly called the *Signet*; the use and application whereof, gives denomination to an Office constantly attending the Court called the *Signet Office*, wherein there are four Clerks, who wait alternately by Moneths, and prepare such things as are to pass the Signet in order to the Privy Seal, or Great Seal.

The present Secretaries of State are,

Henry Lord Arlington, whom for his eminent Services at home and abroad, both in War and Peace, His Majesty was pleased to advance into the place of *Sir Edward Nicholas*.

And *Sir John Trevor*, who for his great abilities and successful Negotiations had that Trust and Honour conferred upon him, when *Sir William Morice*, late Secretary of State, was by His Majesties gracious consent permitted to retire from business.

Waiting on the Privy Council there are Four Clerks in Ordinary, who wait by Moneths

The present State

Moneths each one, he that comes in, is al-
ways a week before and a week after his
Moneth to assist there.

Their Office is to read what is brought
before the Council, and draw up all such
Orders as the King and Lords shall direct,
and cause them to be Registered.

They are these that follow.

Sir Richard Brown, Sir Edward Walker;
Sir John Nicolas, Sir Robert Southwell;
Salaries to each 250 *l.* besides Fees for Or-
ders and Letters, &c.

Beside the forenamed Officers there is a
Keeper of the Records, John Woolly Esq; no
Fee.

Two Keepers of the Council Chamber,
Fee to each 45 *l.*

Thirty Messengers, whereof Ten at a time
by turns waite every Moneth, Fee to each
45 *l.*

These upon Occasion are sent by Warrant
of the Lords of the Privy-Council to fetch
any Person, under the Degree of a Baron,
and to keep him Prisoner in his House till
farther order.

Attending on the Secretaries are the
Clerks of the *Signet*, or *Little Seal*,
which is alwayes in the Custody of the Se-
cretaries, for sealing the Kings Private Let-
ters, and for all such Grants as pass His
Majesties hands by Bill assigned.

Of these Clerks there are four, Sir John
Nicholas Knight of the Bath, Sir Philip
Warwick,

Warwick Knight, *Trumbal Esquire,* and *Sidney Beare Esquire.* These have no Fee from the King, but onely Dyet, which at Pension is 200 *l.* yearly. Their Office is in *Whitehall*, they wait by Month, each of them three Months in a year. One of them always attends the Court where-soever it removes, and by Warrant from the King, or Secretaries of State, or Lords of the Council, prepare such Bills or Letters for the King to sign, as not being matters of Law are by any Warrants directed to them to prepare. In their Office, all Grants either prepared by the Kings learned Council in the Law, or by themselves, for the Kings hand, when signed are returned and there transcribed again, and that transcription is carried to one of the Principal Secretaries of State, and Sealed, and then it is called a Signet, which is directed to the Lord Privy Seal, and is his Warrant for issuing out a Privy Seal upon it, which is prepared by the Clerks of that Seal, is sufficient for the payment of any Moneys out of the Exchequer, and for several other uses: but when the nature of the Grant requires the passing the Great Seal, then the Privy Seal is an Authority to the Lord Keeper to pass the Great Seal, as the Signet was to the Lord Privy Seal to affix that Seal to the Grant, but in all three Offices, *viz.* Signet, Privy Seal and Great-Seal, the Grant is transcribed. So all which passes from the King hath these several ways of being considered before perfected.

There

The present State

There are also four Clerks of the Privy Seal, viz. the Lord Sandwich, whose Interest for his life is in one Mr Watkins, Mr. Baron, Master Bickerstaff, and Mr.

More of their Office is to be seen in Stat. 27. of Henry 8. worthy to be noted.

To this Office (in time when the Court of Request is in being) belongs the Sealing of all Commissions, and other proccels out of that Court.

Moreover depending on the Secretaries of State, is an antient Office called the Paper-Office, the Keeper whereof hath in his Charge, all the publick Papers, Writings, Matters of State, and Council, all Letters, Intelligenees, Negotiations of the Kings publick Ministers abroad, and generally all the Papers and dispatches that pass through the Offices of the two Secretaries of State, which are from time to time transmitted into this Office, and here remain, disposed by way of a Library within his Majesties Palace of Whitehall. This considerable Officer hath a Fee of 160*l.* per annum payable out of the Exchequer, and is at present that very worthy person Joseph Williamson, Esq; Doctor of Laws.

After the Kings most Honourable Privy Council that *Primum mobile*, or rather that Resort or Spring, may be considered the Great Wheelles first moved by that Spring which are the Convocation for the Ecclesiastical Government, and the Parliament for the Civil.

But for the better understanding of the Ecclesiastical Government, it will be expedient to preface somewhat of the Ecclesiastical persons in England.

IN the Government of the Church of England, among the Ecclesiastical persons governing in the English Church, is, First the King of England, who is as the Lawyers say, *Persona sacra & mixta cum sacerdote*. The King is the supreme Bishop of England: And at his Coronation, by a solemn Consecration, and Unction he becomes a Spiritual Person, Sacred and Ecclesiastical, for, as he hath put upon him *Corona Regni*, as an Emblem of his Kingship, and power in Temporals; so hath he *Stola Sacerdotis*, commonly called *Vestis Dalmarica*, as a Levitical Ephod, to signify his Priesthood and power in Spirituals. He is Supreme Governor in all Causes and over all persons Ecclesiastical as well as Civil, in Patron Paramount of all Ecclesiastical Benefices in England, to whom the last Appeal in Ecclesiastical Affairs are made, who alone hath power to nominate persons for all Bishopricks, and chief Dignities, as Deaneries and some Prebends in the Church, &c, as more at large may be seen in the first part of the *Present State of England*.

Next to the King in the Church, Government are the Bishops, whereof two are called *Primates*, *Metropolitans* or *Archbishops*, that is chief Bishops, the one
of

of *Canterbury*, the other of *York*, each of which have besides their Peculiar Diocesses a Province consisting of several Dioceses, and therein by Common Law, a Prerogative of proving Wills and granting Administrations, where the person dying had *bona notabilia*, that is, above $\text{\textsterling} 5 \text{ l.}$ in divers Dioceses or Jurisdictions. Also by Grants of several Kings, they have each one certain Priviledges, Liberties and Immunities in their own Estates.

Under these two Archbishops are 26 Bishopricks, whereof 22 are reckoned in the Province of *Canterbury*, and four in the Province of *York*. So that there are besides the two Archbishops twenty four Bishops, all which have the Title of Lords -by reason of their Baronies annext to their Bishopricks, and have precedence of all other Barons both in Parliament, and other Assemblies: amongst these presides always the Bishop of *London*, who by antient right is accounted Dean of the *Episcopal Colledge* of that Province, and by vertue thereof is to signifie the Pleasure of his Metropolitan to all the Bishops of the Province, to exeente his *Mandates*, to disperse his *Missives* on all emergency of affairs, to preside in Convocations or Provincial *Synods* during the necessary absence of the *Metropolitan*. Next to *London* in Parliament, precedes *Durham*, and then *Winchester*: all the rest of the Bishops take place according to the Seniority of their Consecrations.

The

The Function of an *English Bishop* consists in what he may act, either by his *Episcopal Order*, or by his *Episcopal Jurisdiction*.

By his *Episcopal Order* he may ordain *Deacons* and *Priests*, he may Dedicate Churches and burying places, may administer the Rite and Ceremony of Confirmation, without whom none of these things may be done.

The *Jurisdiction* of a Bishop is either *Ordinary* or *Delegated*; the *Ordinary*, is what by the Law of the Land belongs to each Bishop, in his own Diocels; the *Delegated*, is what the King is pleased to confer upon him, not as a Bishop, but as he is a Subject, and a considerable Member of the Kingdom: For all Clergymen are in *England* (as antiently among Gods own People the Jews, and amongst the Primitive Christians, so soon as they were under Christian Emperors) judged fit to enjoy divers temporal honours and employments: as,

First, to be in the Commission of the Peace, for who so proper to make and keep Peace as they, whose constant duty it is to preach Peace; who so fit as they, whose main business and study it is to reconcile those that are at variance, and therefore since his Majesties happy Restauration, as well as before, divers grave discreet Divines have been made Justices of Peace, and thereby not onely the poor Clergy-men have

have been protected from the oppression of their causeless enemies, but many differences have been composed without any Law-sute, in a more Christian and less expensive way,

Secondly to be of his Majesties Privy Council, where frequently Cases of Conscience may arise, relating to State matters, that will admit neither of delay nor publication, and therefore after the pattern of that excellent Christian Emperor *Constantine the Great*, our good Kings both before and since the Reformation have always admitted some Spiritual persons to their Council Tables and Closet-debates.

Thirdly to be employed in publick Treaties and Negotiations of Peace, and this both the Ancient and Modern practice will justify, that none have been more frequently and succesfully used in such Messages, then the Ambassadors of Christ.

Fourthly, to enjoy some of the great Offices of the Crown, as to be *Lord Chancellor*, *Lord Treasurer*, &c. And it hath been observed that in the late Kings Reign, when the Bishop of *London* was *Lord Treasurer*, that Office was executed with as much diligence, faithfulness, dexterity, and content to the Subject, as well as to the King, as ever it had been by any of his late lay-Predecessors.

In the ordinary Jurisdiction of a Bishop, as a Bishop may be considered either the Jurisdiction it self, or what is instated in him

him by the Law of the Land, for the better execution of that Jurisdiction.

The Jurisdiction it self is established partly by Statute Law; as to Licence Physicians, Surgeons and School-Masters, to unite and consolidate small Parishes, to assist the Civil Magistrates in the execution of some Statutes concerning Ecclesiastical affairs, to compel the payment of Tenths and Subsidies due from the Clergy to the King.

Partly by Common Law; as upon the Kings Writ, to certify the Judges touching legitimate and illegitimate Births and Marriages, to require upon the Kings Writ, the burning of an obstinate Heretic, also to require the Kings Writ for imprisoning the Body of one that obstinately stands excommunicated 40 dayes.

And partly by Common and Ecclesiastical Law together, as to cause Wills of the Deceased to be proved, to grant Administration of Goods of such as dye intestate, to give order for the gathering and preserving of perishable Goods, where none is willing to administer, to cause Account to be given of Administrations, to collate Benefices, to grant Institutions to Benefices upon the Presentations of other Patrons, to command Induction to be given, to order the collecting and preserving of the Profits of vacant Benefices for the use of the Successors, to defend the Franchises and Liberties of the Church, to visit their particular Diocesses once in three years,

The present State

years, and therein to inquire of the Manners, Carriages, Delinquencies, &c. of Ministers, of Church-wardens, of the rest of the Parishioners, and amongst them, especially of those that profess themselves Physitians, Surgeons, School masters, Midwives; of Wardens of Hospitals, how they perform their several duties and trusts; also of all others professing Christianity, and offending either against Piety, as by Blasphemy, Idolatry, Superstition, Perjury, Heresie, Errors against the 39 Articles, Schism, Conventicles, absence from Divine Service, unlawful abstinence from the Sacraments, or else offending against Justice, as the delaying of Legacies given to the poor or pious uses, Dilapidations of Buildings, or Goods belonging to the Church; taking of Usury beyond the rate allowed by Statute, Simony, Perjury, &c. or by offending against Sobriety, as Drunkenness, Incest, Adultery, Fornication, filthy Speech, tempting of any ones Chastity, Clandestine Marriages, as for want of thrice publishing the Banes, the want of Parents consent, the want of Witnesses, which must be above two, or marrying in a private place, in an undue time, before eight in the morning, and after twelve of the Clock in the day, &c.

Now for the better executing of this Jurisdiction, the Law of England hath furnished the Bishops with a power of Ecclesiastical Censures, whereof some may be inflicted both upon Lay-men and Church-

Church-Men, as Suspension from entering into the Church, or else from receiving the Sacrament, or greater Excommunications, &c. Others may be inflicted only upon Ecclesiastical Persons, as Sequestration of their Ecclesiastical Profits, Suspension, sometimes *ab Officio*, sometimes *a Beneficio*, *Deprivation* and *Deposition*, which is sometimes verbal, by sentence pronounced against them; and sometimes real by Degradation. Here note that of all these Censures, Excommunication is never inflicted but onely for Contumacy, as when a person being duly summoned will not appear, or appearing, will not obey the Orders of the Bishop.

- The solemn manner of making a Bishop in England, is as followeth,

When any Bishops See becomes vacant, the Dean and Chapter of that Cathedral giving notice thereof to the King, who is Patron of all the Bishopricks in England and humbly requesting that his Majesty will give leave for them to choose another; the King hereupon grants to the Dean his *Conge d'Eslire*, which in French (wherein it was antiently penned) signifies leave to elect then the Dean summons a Chapter or assembly of the Prebendaries, who either elect the person recommended by his Majesties Letters, or shew cause to the contrary. Next the Election is certified to the party Elected, who doth modestly refuse it the first and second time, and if he refuse it

it a third time, then that being certiyed to his Majesty, another is recommended, when the Election is accepted by the party, it is certiyed to the King and the Archbishop of that Province, whereupon the King gives his Royal Assent under the Great Seal of England; which is exhibited to the Archbishop of the Province, with command to confirm and consecrate him, hereto the Archbishop subscribes *Fiat Confirmatio*, and gives Commission under his Archiepiscopal Seal to his Vicar-General, to perform all the Acts required for perfecting his Confirmation.

The Vicar-General then in the name of the Archbishop sends forth a Citation, summoning all Opposers of the said Election or Person Elected, to appear at a certain time and place especially assigned to make their objections. This is done by an Officer of the Arches usually at Bow-Church in Cheapside London by Proclamation three times, and then affixing the said Citation on the Church door for all people to read, the said Officer return an Authentick Certificate thereof to the Archbishop and Vicar-General. At the day and place assigned for the appearance of the Opposers the Vicar-General sits, then the Proctor for the said Dean and Chapter, exhibits the Royal assent and the Commission of the Archbishop; which read and accepted by the Vicar-General, the Proctor exhibits the Proxy from the Dean and Chapter, and then presents the Elected Bishop, and

and returns the Citation, and desires the Opposers to be publickly called three times, which being done accordingly, he accuseth their contumacy, and for penalty thereof, desires that the business may proceed, which the Vicar-General in a Schedule by him read and subscribed doth order. Next the Proctor giving a summary Petition, wherein is deduced the whole Process of Election and Consent, desires a time to be assigned to prove it, which the Vicar-General admits and decrees: After which the Proctor exhibits the Royal Assent, with the Elected Bishops Assent, and the Certificate to the Archbishop, and desires a term presently to be assigned to hear final sentence, which the Vicar-General decrees. Then the Proctor desires that all Opposers should be again called, which being thrice publickly done, and none appearing, nor opposing, they are pronounced contumacious, and a Decree made to proceed to sentence, by a Schedule read and subscribed by the said Vicar-General. Then the Elect person takes the Oath of Supremacy, Simony, and Canonical Obedience.

Next the Judge of the Arches reads and subscribes the Sentence, after which usually there is an entertainment made for the Officers and others there present, which being once done at the Sign of the *Nags Head* in *Cheapside* near the said *Bow Church*; gave occasion to our adversaries the *Romish Church*, to affirm that
Fable

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Fable, that there our first Bishops after the Reformation were Consecrated.

When a Bishop is Elected, and the Election confirmed, he may give Institution, and do his ordinary Jurisdiction, and may sit in Parliament as a Lord thereof, according to Sir Ed. Cook 4. *Institut.* p. 47.

After the Confirmation, then according to the Kings Mandate is the solemn Consecration of the Elected Bishop, which is done by the Archbishop with the assistance of two other Bishops in manner following;

Upon some Sunday or Holy-day after Morning Service, the Archbishop beginneth the Communion Service, after a certain Prayer appointed for this occasion, one of the Bishops there present readeth the Epistle, *1. Tim.* 3. another readeth the Gospel, *John* 21. Then after the Nicene Creed and some Sermon, the Elected Bishop vested with his Rochet or Linnen Garment, is by two Bishops presented to the Archbishop, or some other Bishop commissioned by him, sitting in his Chair, who demands the Kings Mandate for the Consecration, and causes it to be read; then the Elect Bishop takes the Oath of Supremacy and of Canonical Obedience to the Archbishop; and after divers prayers and several Interrogatories put to the Bishop, and his Answers, the rest of the Episcopal Habit is put upon him, and after more prayers the Elect Bishop kneeleth down, and the Archbishop and Bishops there

there present lay their hands on his head, and by a certain pious grave form of words, they Consecrate him. Afterward the Archbishop doth deliver to the Bishop Elect a Bible with an other set form of words, and so all proceed to the Communion Service, and having received the Sacrament, and the Blessing, they retire from Church to Dinner, which is at the charge of the Bishop Elect, and is usually very splendid and magnificent, the greatest of the Nobility, Clergy, Judges, Privy-Councillors, &c. honouring it with their presence, the expences hereof with Fees of Consecration commonly amounting to Six or Seven hundred pounds.

This form and manner of Consecrating Bishops is accordingly to the rule laid down in the fourth Council of *Carthage*, about the year 470, generally received in all the Provinces of the Western Church.

Note that by our Order of Consecrating Bishops, it is evident that Bishops are lookt upon as a distinct Order of themselves, and not onely as a different degree from the rest of the Presbyters, as some would have it.

Next goes forth a Mandate from the Archbishop to the Archdeacon of his Province, to instal the Bishop Elected, confirmed and consecrated; which Instalment is almost on the same manner in all Cathedrals, and is usually thus,

Upon any day between the hours of 9 and 11, in the presence of a Publick No-

tary

tary, the Bishop Elect or his Proxy which is usual, is introduced into the Cathedral Church by the Archdeacon of Canterbury, by whom all the Bishops of that Province are Installed, (or else by his Proxy sometimes) and first he declares his assent to the Kings Supremacy, and swears that unless he be otherwise dispensed with, he will be Resident according to the Custom of that Cathedral, and observe the Customs of the said Church, and cause others to observe the same: then the Archdeacon with the Petty Canons and Officers of the Church, accompany the Bishop up to the Quire, and there place him in the Seat prepared for the Bishops; between the Alter and the right side of the Quire, and then the Archdeacon pronounces these words in Latin, *Ego auctoritate mihi commissa induco & inthronizo Reverendum, in Christo Patrem Dominum N. N. Episcopum & Dominus custodiat suum introitum & exitum ex hoc nunc & in seculum, &c.* then the Subdean and the Petty Canons sing the *Te Deum* mean while the Bishop is again conducted from his own Place to the Deans seat, and there in token of taking real possession, he stands till the *Te Deum* is ended, together with other Prayers, the Archdeacon reading some Versicles, as O Lord save this thy Servant N. our Bishop, (the people answering) and send him health from thy holy place, &c. then the Archdeacon reads a short Collect for the Bishop by Name; After Prayers the Bishop is Conducted in-

to the Chapter House, and there placed on a high Seat; then the Archdeacon and all the Prebends and Officers of the Church come before the Bishop, and acknowledge Canonical Obedience to him, finally the Publick Notary is by the Archdeacon required to make hereof an Instrument declaring the whole matter of fact in this affair.

Then the said Bishop is introduced into the Kings presence, to do his Homage for his Temporalities or Barony, by kneeling down and putting his hands between the hands of the King sitting in a Chair of State, and by taking of a solemn Oath to be true and faithful to his Majesty, and that he holds his Temporalities of him.

Lastly, the new Bishop compounds for the first Fruits of his Bishoprick, that is, agrees for his first years profits to be paid to the King, within two years or more if the King please.

The Translation of a Bishop from one Bishoprick to an other differs onely in this, from the manner of making a Bishop, that there is no Consecration.

The Translation of a Bishop to be Archbishop differs onely in the Commission, which is directed by his Majesty to four or more Bishops to confirm him. Note that the difference between an Archbishop and a Bishop, is that the Archbishop with other Bishops doth consecrate a Bishop, as a Bishop with other Priests doth ordain a Priest: The Archbishop visits the whole Province

the Bishop onely his Diocess; The Archbishop can convocate a Provincial Synod, the Bishop onely a Diocesan Synod; The Archbishop is Ordinary to; and hath Canonical Authority over all the Bishops of his Province, as the Bishop hath over all the Priests of his Diocess.

Several Bishops of England having Dioceses of a large extent, it was provided by Stat. 26. Henry 8. that they should have a power to nominate some to the King to be with his approbation Suffragan or Subsidiary Bishops, whereof see more in the first Part of the *Present State of England*. Of these there are none at present in the Church of England, but the next to the Bishops are now the Deans of Cathedral Churches.

Dean and Chapter. Antiently Bishops did not ordinarily transact matters of moment *sine consilio Presbyteriorum principalium*, who were then called *Senatores Ecclesie*, and Colleagues of the Bishops, represented in some sort by our Cathedrals; whereof the Dean and some of the Prebends are upon the Bishops summons to assist him in Ordinations, in Deprivations *ab Officio & Beneficio*, in condemnation of obstinate Hereticks, in the greater Excommunications, and in such like weighty affairs of the Church. Upon the Kings Writ of *Conged' Eslire* (as before mentioned) the Dean and Prebendaries are to elect the Bishop of that Diocess. Cathedral and Collegiate Churches are as it were Seminaries or

or Seed-Plots, whereout from time to time may be chosen fit persons to govern the Church, for having left the Countrey, and living here in a Society together, they learn experience, they read men, they by little and little put off the familiarity of the inferiour Countrey Clergy, and thereby render themselves the more fit to be set over them in Government. The Dean and Prebendaries, during their required residence in their Cathedral or Collegiate Churches are to keep Hospitality, upon all Festivals to read Divinity in their turns, which is now turned to Sermons, or set speeches in the Pulpit, at due time to administer the Lords Supper, to frequent the Publick Divine Service, to instruct the Country Clergy, and direct them how and what to preach, whereby they may best profit their Auditors: In a word, as they exceed others in Dignity, and are therefore stiled Prelats, so by their more eminent Piety and Charity, they are to be examples and patterns to the inferiour Clergy.

In every Cathedral or Bishops See there is a Dean and divers Prebendaries or Canons, whose number is uncertaint.

Deans of the old Foundations, founded before the suppression of Monasteries, are brought to their Dignities much like Bishops, the King first sending forth his *Commissio* to the Chapter, they electing, and the King granting his Royal assent, the Bishop confirms him, and gives his Mandate to install him.

The present State

Deans of the new Foundations (upon suppression of Abbeyes or Priories transformed by *Hen. 8.* into Dean and Chapter) are by a shorter course installed by vertue of the Kings Letters Patents, without either Election or Confirmation.

Among the Canons or Prebendaries in the old Foundations, some are *Canonici actu*, having *Prebendam sedile in Choro & jus suffragii in Capitulo*; others are *Canonici in Herbis* (as they are called) having right to the next Prebend that shall become void, and having already a Stall in the Quire, but no Vote in the Chapter.

A Prebend is properly the portion which every Prebendary of a Cathedral or Collegiate Church receiveth in the right of his place for the maintenance *quasi pars vel portio prebenda*.

Next in the Government of the English Church may be reckoned Archdeacons, whereof there are 60 in all *England*; Their Office is to visit two years in three, and to enquire of Reparations and Moveables belonging to Churches, to reform abuses in Ecclesiastical matters, and to bring the more weighty affairs before the Bishop of the Diocess; and therefore he is called *Alter Episcopi Oculus* (the other being the Dean, as is mentioned in the first part of the *Present State*) Moreover the Office of an Archdeacon is upon the Bishops Mandate to induct Clerks into their Benefices, and thereby to give them possession of all the Profits belonging thereto.

Many

Many Archdeacons have by Prescripti-
on, their Courts and Officials as Bishops
have, whereof more hereafter.

After Archdeacons are the *Archipresby-
teri* or Rural Deans, so called perhaps at
first for his oversight of some Ten Parish
Priests; their Office is now upon orders
to convocate the Clergy, to signifie to
them sometimes by Letters the Bishops
pleasure, and to give induction for the
Archdeacon living as far off.

Next are to be considered the Priests of
every particular Parish, who are common-
ly called the Rectors, unless the predial
Tythes are impropriated, and then they
are stiled Vicars, *quasi vices fungentes
Rectorum*. Their Office is to take care of
all their Parishioners Souls, and like good
Shepherds, to handle every particular
Sheep apart; to Catechise the ignorant,
reducethe straying, confirm the wavering,
convince the obstinate, reprehend the wick-
ed, confute Schismatics, reconcile diffe-
rences amongst Neighbours, to exercise
the power of binding and loosing of souls
as occasion shall offer, to read duly Di-
vine Service, to Administer the holy Sa-
craments, to visit the Sick, to Marry, to
Bury, to render publick thanks after Child-
bearing, to keep a Register of all Marria-
ges, Christnings and Burials that shall
happen within the Parish, to read Di-
vine Sermons or Homilies appointed by
Authority (and if the Bishop think fit) to
read or speak by heart their own concep-
tions in the Pulpit.

Lastly Deacons, whose Office is to take care of the poor, Baptise, Read in the Church, assist the Priest at the Lords Supper by giving the Cup onely.

After this brief account of Ecclesiastical persons, somewhat may here not unfitly be added touching those persons who though not in Holy Orders, yet have a peculiar relation to the Church, and are *quasi semi Ecclesiastici*, as first Patrons of Churches, who by first building of Churches, or first endowing them with Lands, have obtained for them and their Heirs a right of Advowson or Patronage, whose office and duty is to present a fit Clerk (when the Church is voyd) to the Bishop to be by him Canonically instituted, and to protect the said Church, as far as he can from all wrong, and in case his Clerk prove unfit for the place, to give notice thereof to the Bishop.

Next are the *Oeconomi vel Ecclesia Guardiani*, the Churchwardens, whose Office is to see that the Church be in good repair, fitly adorned, and nothing wanting for Divine Service, Sacrament, and Sermons; that the Church-yard be sufficiently mounded or inclosed, that there be an exact Terrier of the Glebe Lands, and if any thing belonging to the Church be detained, to sue for the same; to observe that all Parishioners come duly to Divine Service, to require the penalty for absences, to enquire after, to admonish and to present to the Bishop scandalous livers, to collect

lest the Charity of the Parishioners for poor strangers, to declare and to execute the orders of the Bishop, to see that none presume to vent his own conceptions in the Pulpit, unless he hath a special license so to do. The Churchwardens are elected every Easter Week, usually by the Parson and Parishioners if they so agree; if not, then one by the Parson, and the other by the Parishioners.

There are also in greater Parishes joyned with the Churchwardens *Testes Synodales*, anciently called *Synodi-men*, now corruptly called *Sides-men*, who are to assist the Churchwardens, in inquiries into the lives of inordinate livers, and in presenting men at Visitations.

Lastly the *Sacristan*; corruptly the *Sexton* or *Clark*, who is ordinarily to be chosen by the Parson only: he ought to be twenty years old or above, of good life, that can read, write and sing: his Office is to serve at Church the Priest and Churchwardens.

In the Church of England there are, as in the antient Primitive times, three Orders, Bishops, Priests and Deacons. None may be admitted Deacon before the age of 23 years, unless he hath a Dispensation so to be admitted younger: None may be made a Priest till he be compleatly 24 years old: None may be admitted Bishop till full 30 years old.

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The present State

The Ordination of Priests and Deacons is four times the year, upon four several Sundayes in the Ember or Fasting Weeks, that so all the Nation may at once in their joynt Prayers to God, recommend them that are to receive Ordination, which is performed, by a Bishop, in a solemn grave devout manner, thus for Deacons. After Morning Prayer there is a Sermon, declaring the Duty and Office of Deacons and Priests; then they being decently habited, are presented to the Bishop by the Archdeacon or his Deputy, whom the Bishop asks if he hath made due inquiry of them, and then asks the people if they know any notable impediment or crime in any one of them; after follow certain godly Prayers, then a Collect, Epistle and Gospel: but before the Gospel the Oath of Supremacy is administred to every one of them, and the Bishop putteth divers godly questions to them, which being answered they all kneel, and he laying his hands upon them severally doth ordain them Deacons; then delivers to every one of them the New Testament, and gives them authority to read the same in the Church; then one of them appointed by the Bishop reads the Gospel, and then all with the Bishop proceed to the Communion, and so are dismissed with the Blessing pronounced by the Bishop.

The Ordination of Priests is partly in the same manner, only the Epistle and Gospel are different; and after the questions
and

and answers made, the Bishop puts up a particular prayer for them, and that ended, he desires the Congregation to recommend them to God secretly in their prayers, for doing of which there is a competent time of general silence, then follows *Venit Creator Spiritus* in Meter to be sung, then after another prayer, they all kneeling, the Bishop, with the Priests present layeth his hands upon the head of every one severally, and gives them Ordination in a grave set form of words; different both from that of Bishops and that of Deacons, the rest as in the ordaining of Deacons.

of

*Of the Ecclesiastical Government
of England, and first of the
Convocation.*

FOR the Church legislative power, or the making of Ecclesiastical Laws, and consulting of the more weighty affairs of the Church, the King by the advice of his Privy Council, usually convokes a National Synod, commonly called the Convocation, which is summoned in manner following.

The King directeth his Writ to the Archbishop of each Province, for summoning all Bishops, Deans, Arch-deacons, Cathedrals, and Collegiate Churches, according to their best discretion and judgment, assigning them the time and place in the said Writ; whereupon the Archbishop of *Canterbury* directs his Letters to the Bishop of *London*, as his Dean Provincial, first citing himself peremptorily, and then willing him in to cite like manner all the Bishops, Deans, Archdeacons, Cathedral and Collegiate Churches, and all the Clergy of his Province to that place, and at the day prefixt in the Writ; but directeth withal, that one Proctor sent for each Cathedral and Collegiate Church, and two for the body of the inferiour Clergy of each Diocess may suffice. The Bishop of *London* accordingly directs his Letters to
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the Bishops of every Diocess of the Province, citing them in like manner to appear; and to admonish the Deans and Arch-deacons to appear personally, and the Cathedrals, Collegiate Churches and inferiour Clergy of the Diocess, to send their Proctors to the place; and at the day appointed; also to certifie to the Archbishop the names of all so summoned by them.

The place where the Convocation of the Clergy in the Province of *Canterbury* hath usually been held, was *St. Pauls Church* in *London*, but of later times at *St. Peters* in *Westminster* in the Chappel of *Henry the Seventh*, where there is (as in *Parliament*) a Higher and a Lower House, or a House of *Lords Spiritual*, and a House of *Commons Spiritual*.

The Higher House of Convocation in the Province of *Canterbury* consists of 22 Bishops, whereof the Archbishop is President, sitting in a Chair at the upper end of a great Table, and the Bishops on each side of the same Table all in their *Scarlet Robes*.

The Lower House consists of all the Deans, Arch-deacons, one Proctor for every Chapter, and two Proctors for all the Clergy of each Diocess, in all 166 persons, viz. 22 Deans, 24 Prebendaries, 54 Arch-deacons, and 44 Clerks representing the Diocessan Clergy.

The first day both houses being assembled the Higher chooseth a Bishop for their Prolocutor,

locutor, and the Lower being required by the Higher choose them a Prolocutor, or Speaker, which done, they present him to the Upper House by two of their Members, whereof one makes a Speech in Latin; and then the Elect person makes another Speech in Latin. Lastly, the Archbishop answers in Latin, and in the name of all the Lords approves of the person,

Both Houses debate, and transact only such matters as His Majesty by Commission expressly alloweth.

In the Upper House things are first proposed, and then communicated to the Lower House.

The Major vote in each House prevails.

Out of Parliament time they usually assemble every day about Nine of the clock, and first the Junior Bishop says Prayers in Latin, beginning with the Letany, and then for the King, &c. And in the Lower House the Prolocutor says Prayers.

In Convocation are debated only matters concerning Religion and the Church, and sometime of giving His Majesty assistance in Money; for as the Laity cannot be Taxed without their own consent, signified by their Representative in Parliament, so the Clergy cannot be Taxed without their consent, signified by their Representative in Convocation.

The Clergy in Convocation might antiently without asking the Royal Assent, and now may with the Royal Assent make
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Canons touching matters of Religion, to bind not only themselves, but all the Laity, without consent or ratification of the Lords and Commons in Parliament.

Till the late Rebellion the Parliament did not at all meddle in the making Canons, or in matters Doctrinal, or in Translation of Scriptures, or Annotations thereon, only by their civil Sanctions (when they were thereto required) did confirm the Results and Consultations of the Clergy, that so the People might be the more easily induced to obey the Ordinances of their Spiritual Governors.

The Clergy of England had antiently their Representatives in the Lower House of Parliament, as appears by that antient Record so highly prized by the late Lord Coke; and as the Upper House had and still hath Lords Spiritual as well as Temporal; so in the Lower house there were alwayes Commons Spiritual as well as Temporal; for that Record saith expressly, that the Commons in Parliament consist of three degrees or kinds; First, *ex Procuratoribus Cleri*; Secondly, *ex Militibus Comitatum*; Thirdly, *ex Burgenfis*; and the words of the Writ directed now to the *Procuratores Cleri*, seem to give them the very same right to sit in that House, as the words of the Writ to the Knights, Citizens and Burgeses do give to them.

All the Members of both Houses of Convocation have the same priviledges for them-

themselves and menial Servants, as the Members of Parliament have, and that by Statute.

The Arch-bishop of York at the same time holds at York a Convocation of all his Province in like manner, and by constant correspondence doth debate and conclude of the same matters as are debated and concluded by the Provincial Synod of Canterbury.

Now for the Executive power in Church matters throughout the Kingdom of England, there have been provided divers excellent Courts, whereof the highest for Criminal Causes was the High Commission Court, for the Jurisdiction whereof it was enacted *primo Elizabethæ*, that Her Majesty and Successors should have power by Letters Patents under the Great Seal, to nominate Commissioners to exercise jurisdiction throughout the whole Realm; to visit, reform, and correct all Errors, Heresies, Schisms, Abuses, and Delinquencies, that may by any Ecclesiastical power be corrected or reformed.

This Court consisted of the highest persons of England in the Church and State; and was the principal Bulwark and Preservative of the Church of England against the practices and assaults of all their Adversaries, whether Romanist, Puritan, or Atheist, yet for some pretended abuses, the use thereof was taken away in the late seditious long Parliament; whereupon followed a deluge of Errors in Religion, Apostacy, Atheism,

Atheism, Blasphemy, Sacrilege, Incest, Adultery, impious Libels, Schismes, Conventicles, &c. all which so overwhelmed the Manners of Englishmen, and occasioned at length so many profest Atheists, that untill the re-establishment of this or the like Court, there cannot a Reformation be easily hoped for.

For civil affairs that concern the Church, the Highest Court is the Court of Delegates, for the jurisdiction whereof it was provided 25 H. 8. that it shall be lawfull for any subject of England, in case of defect of justice in the Courts of the Archbishop of Canterbury, to appeal to the Kings Majesty in his Court of Chancery, and that upon such appeal, a Commission under the Great Seal shall be directed to certain persons particularly designed for that business; so that from the highest Court of the Archbishop of Canterbury, there lies an Appeal to this Court of Delegates, and beyond this to none other.

Next to the Court of Delegates are the Courts of the Archbishop of Canterbury, where any Ecclesiastical Suites between any persons may (waving all inferiour Courts) be decided; amongst them the highest Court is the Court of Arches, so called from the Arched Church and Tower of St. Maries in Cheapside, London, where this Court is wont to be held, the Judge whereof is called Dean of the Arches, having jurisdiction over a Deanery, consisting of 13 Parishes within London, exempt from the jurisdiction
on

The present State

on of the Bishop of *London*. Hither are directed all Appeals in Ecclesiastical Matters within the Province of *Canterbury*. To this Court belongs divers Advocates, all Doctors of the Civil-Law, two Registers, and ten Proctors: the Dean at present is Doctor *Sweat*.

In the next place the Archbishop of *Canterbury* hath his Court of Audience kept within the Archbishops Palace, and medleth not with any difference between parties, but concerning Elections and Consecration of Bishops, Admission and Institution to Benefices, dispensing with Banes of Matrimony, &c.

The next Court is called the Prerogative Court, which judgeth of Estates fallen by Will, or by Intestates, so called, because the Archbishops *jure Prerogativa sua* hath this power throughout his whole Province, where the party at the time of death had \geq *l.* or above in several Dioceses; and these two Courts hath also the Archbishop of *York*.

Lastly, the Court of Peculiars, which dealeth in certain Parishes, lying in several Dioceses, which Parishes are exempt from the jurisdiction of the Bishops of those Dioceses, and are peculiarly belonging to the Arch-bishop of *Canterbury*, in whose Province there are 57 such Peculiars.

Besides these Courts serving for the whole Province, every Bishop hath his Court held in the Cathedral of his Diocess, over which he hath a Chancellor, termed antiently

ly *Ecclesiasticus & Episcopi Ecclesiarum*, the Church-Lawyer, or the Bishops Lawyer, who being skill'd in the Civil and Canon Law, sits there as Judge; and if his Diocese be large, he hath in some more remote place a Commissary; whose Authority is only in some certain place of the Diocese, and some certain Causes limited to him by the Bishop in his Commission; and these are called Consistory Courts.

Moreover, every Arch-deacon hath his Court and Jurisdiction, where smaller differences arising within his limits are pleaded. Also the Dean and Chapter hath a Court, and take cognizance of Causes happening in places belonging to the Cathedral.

Lastly, there are certain peculiar Jurisdictions belonging to some certain Parishes, the Inhabitants whereof are exempt sometimes from the Arch-deacons Jurisdiction, and sometimes from the Bishops jurisdiction.

Causes belonging to Ecclesiastical Courts, are Blasphemy, Apostasie from Christianity, Heresies, Schismes, Ordinations, Institutions of Clerks to Benefices, Celebration of Divine Service, Rights of Matrimony, Divorces, general Bastardy, Tythes, Oblations, Obventions, Mortuaries, Dilapidations, Reparation of Churches, Probate of Wills, Administrations, Simony, Incests, Fornications, Adulteries, Solicitations of Chastity, Pensions, Procurations, Commutation of Pennance,

&c.

Or, the cognizance whereof belongs not to the Common Law of England.

The Laws and Constitutions whereby the Ecclesiastical Government doth stand, and the Church of England is governed, are first general Canons made by general Councils; also the *Arbitria sanctorum Patrum*, the opinion of Fathers, the grave Decrees of several Holy Bishops of Rome, which the Kings of England from time to time have admitted.

Next our own Constitutions made anciently in several Provincial Synods, either by the Legats *Otho* and *Othobon*, sent from Rome; or by several Arch-bishops of *Canterbury*; all which are by 14 H. 8. of force in England, so far as they are not repugnant to the Laws and Customs of England, or the Kings Prerogative. Then the Canons made in Convocations of later times, as *primo Jacobi*; and confirmed by His Royal Authority. Also some Statutes enacted by Parliament touching Ecclesiastical affairs: And lastly, divers Customs not written, but yet in use beyond the memory of man: and where these fail, the Civil Law takes place.

The manner of Tryals by these Laws and Customs are different from the Tryals at Common-Law, and are briefly thus. First goes forth a *Citation*, then Bill and Answer, then by Proofs, Witnesses, and Presumptions the Matter is argued *pro* and *con*, and the Canon and Civil Laws quoted, then without any Jury the Defendant

sen-

sentence of the Judge passeth, and upon that
 Execution. And this is the manner of try-
 ing Ecclesiastical Civil Causes, but Eccle-
 siastical criminal Causes are tryed by way
 of Accusation, Denunciation, or Inquisi-
 tion. The first, when some one takes upon
 him to prove the Crime: the second, when
 the Church wardens present, and are not
 bound to prove, because it is presumed they
 do it without any malice, and that the
 crime is notorious. Lastly, by Inquisition,
 when by reason of common fame, inquiry
 is made by the Bishop, *ex officio suo*, by
 calling some of the neighborhood to their
 Oaths, or the party accused to his Oath
ex officio, so called, because the Ecclesi-
 astical Judge doth it *ex officio suo*, which is
 very antient, and was usual among the
 Jews; so *Josias* to *Achan*, *Fili mi tribus*
gloriam, &c. So God himself to *Adam* up-
 on his first transgression; and likewise af-
 terward to *Sodom*; but by the prevailing
 faction in the long Parliament, this power
 was extorted from the Church, the want
 whereof is one main cause of the great
 libertinisme and debauchery of the Na-
 tion.

Now the punishments inflicted by these
 Spiritual or Ecclesiastical Courts, accord-
 ing to these Spiritual or Ecclesiastical Laws,
 proceed in this manner. First the party
 delinquent is admonish'd; next goes forth
minor Excommunicatio, whereby he is
 excommunicated, or excluded from the
 Church; or if not from the Church, yet
 from

from the Communion of the Lords Supper, is disenabled to be Plaintiff in a Law-Sute, &c. And this commonly for stubbornness shewed, by not appearing in the Ecclesiastical Court upon summons, or not obeying the Orders of the Court, which though in smallest matters, yet may be a very great crime; for *Res praecepta quo facilius est observatu eo praecepti violatio est gravior cum sit magis spontanea*, as *S. Austin* observes of the first sin of *Adam*. Any command by how much the easier it may be observed, by so much the more grievous is the breach thereof, because it is the more voluntary: besides, in contempts it is not so much the violation of the Law, as of the Authority, which ought to be resent. And herein the Church of *England* proceedeth no otherwise than the State of *England*; for so odious in the eye of the Common-Law of *England*, is the contempt thereof, that not only for Felonies, but even in an Action of the case, in an Action of a small Debt, Account or Detinue, if a man will not appear and submit himself to a Tryal at Law, a Process of Outlawry is grounded against him, and he being once Outlawed, he is out of the protection of the Law. *Caput gerit lupinum*, saith *Bracton*, an Outlaw'd was antiently lookt upon as a Wolf, lawfully to be killed by any man that should meet him, as most just, that he who contemned the Law, and therein the King, should not have benefit by the Law, nor protection from the King, and at this day he is to lose

lose all his Goods and Chattels. The Reader will easily pardon this digression, when he considers the general cry against Excommunications at this day.

This power of lesser Excommunication the Bishop may delegate to any grave Priest with the Chancellour.

Excommunicatio major is not only an exclusion from the company of Christians in Spiritual Duties, but also in Temporal affairs, and this commonly for Heresie, Schism, Perjury, Incest, and such grievous crimes; and that it may be done with the more solemnity and terror, it is to be pronounced by the Bishop himself in his proper person; and being so Excommunicated, a man cannot in any Civil or Ecclesiastical Court, be Plaintiff or Witness. And in case any man be so stubborn as to continue 40 dayes Excommunicated, the Kings Writ *de excommunicato capiendo* is granted forth of the Chancery against him; whereupon he is cast into prison without Bail, there to lie till he hath satisfied for his offence.

Next there is *Anathematismus* to be inflicted only upon an obstinate Heretick, whereby he is declared a publick Enemy of God, and rejected, and cursed, and delivered over to eternal damnation: and this to be done by the Bishop also, in his own Person, assisted by the Dean and Chapter, or twelve other grave Priests.

Lastly, there is *Interdictum*, whereby is prohibited all Divine Offices, as Christian Burial,

Burial, Administration of Sacraments, &c. in such a Place, or to such a People, and if this be against a People, it follows them wheresoever they go; but, if against a Place only, then the People of that Place may go to Divine Offices elsewhere.

Besides these general censures of the Church, which respect Church Communion, there is another which toucheth the Body of the Delinquent, called Publick Penance, when any one is compelled to confess in publick his fault, and to bewail it before the whole Congregation in the Church; which is done in this manner: the Delinquent is to stand in the Church-Porch upon some Sunday, bare-head and feet, in a white Sheet, and a white Rod in his Hand, there bewailing himself, and begging every one that passes by to Pray for him; then to enter the Church, falling down and kissing the ground; then in the middle of the Church, placed in a higher place, in the sight of all the People, and over against the Minister, who declares the foulness of his Crime odious to God, and scandalous to the Congregation, that God can no way be satisfied but by applying Christs sufferings; nor the Congregation, but by an humble acknowledging of his sin, and testifying his sincere Repentance and sorrow, not in words only, but with tears, and promising there in the sight of God and his Holy Angels, that by Gods assistance, and by Prayer, Meditation, and daily works of Piety, he will endeavor hereafter

ter more carefully to watch against the temptations of the world, the allurements of the flesh, and the snares of the Devil: which being done, and the Priest in Christs name pronouncing the remission of Sins, the penitent humbly beseeches the Congregation to pardon him that great scandal against them, and receive him into their holy Communion, and to account him again a Member of their Church, and in testimony hereof, out of their Christian Charity, to vouchsafe to say with him aloud, the Lords Prayer. And this way of the Church of *England*, appears by divers Writers, to be the antient way used by the Primitive Churches.

Note that it is ordained by the Canons of the Church of *England*, that in case the crime be not notorious and publick, the forenamed penance may at the parties request be commuted into a pecuniary Mult for the poor of the Parish, or some Pious uses, provided that for the Reformation of the Delinquent, that way appear to be the more probable way; for some men will be thereby reclaimed, who by publication of their offence would become more impudent, and hardned, when they perceive their reputation to be lost.

There remains one more punishment or Ecclesiastical censure, which toucheth the body, and that is denial of Christian burial, which is inflicted not in *pœnam mortuorum*, but in *terrorem viventium*, who naturally desire that after their death their

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bodies

bodies may be decently interred. And Christian burial is wont to be denyed by the Church of England, to persons dying excommunicate, to perjured persons, to such as are hanged for Felony, or that wilfully kill themselves, and to Apostates, Hereticks, and Extortioners.

To these forenamed Censures and Punishments, both Laity and Clergy are subject; but besides these, there are punishments whereunto the Clergy only are liable; as first, *Suspensio ab Officio*, when a Minister for a time is declared unfit to execute the Office of a Minister.

Then *Suspensio a Beneficio*, when a Minister for a time is deprived of the profits of his Benefice; and these two Censures are wont to be for smaller Crimes.

Thirdly, *Deprivatio a Beneficio*, when for a greater crime, a Minister is wholly and for ever deprived of his Living.

And Fourthly, *Deprivatio ab Officio*, when a Minister is wholly and for ever deprived of his Orders, and this is called *Depositio*, or *Degradatio*, and is commonly for some heinous crime, meriting death, and is performed by the Bishop in a solemn manner, pulling off from the Criminal his Vestments, and other Emblems of his Order; and this in the presence of the Civil Magistrate, to whom he is then delivered to be punished as a Layman for the like offence. And herein Bishops are to take special care to behave themselves.

Μηδ' εἰς κατὰ κρῖνον οὐρανὸν ᾄδῃ, καὶ ἄλλαν, not
as

as Lording over Gods Heritage, not as absolute Masters over Servants, to gain by their punishments, but as Fathers over Children, for their amendment, and as being Ministers in Spiritual Affairs, to use their power for the good of Christians, and to conduct that power by moderation.

Of the Parliament of England, and therein of the Person summoning, the manner of the summons, the persons summoned, their privileges; the place and manner of sitting, the passing of Bills in either House, the passing of Acts of Parliament, of Adjourning, Proroguing, and Dissolving of Parliaments.

A Brief Account of the Ecclesiastical Government having been given, next follows the Civil Government, towards which, the first great wheel that moves, is the Parliament of England.

Before the Conquest the Great Council of the King, consisting only of the Great Men of the Kingdom, was called *Magnatum*

The present State

Conventus, or else *Prelatorum Procerum-que Concilium*, and by the Saxons in their own Tongue, *Micel Gemoz*, the Great Assembly; after the Conquest it was called by the French word *Parlementum*, from *Parler*, to talk together, still consisting only of the Great Men of the Nation, untill the Reign of Henry the Third, the *Commons* also were called to sit in Parliament; for the first Writs sent forth to summon them, bears date 49 H. 3. about 400 years ago.

None but the King hath authority to summon a Parliament: In the Kings absence out of the Realm, the *Custos Regni* in the Kings name doth summon a Parliament, and during the Kings minority within the Realm, the *Protector Regni* doth the same.

No Parliament can begin without the Kings Presence, either in Person, or by Representation by *Commissioners*.

When the King of England is with his Parliament in time of peace, he is then said to be in the height of his Royal Dignity, as well as when he is at the head of his Army in time of War. There is then scarce any thing that the King cannot do, his power cannot be confined for causes or Persons within any bounds. He can with the concurrence of his Lords and Commons, legitimate one that is born illegitimate, bastardize one that is born legitimate, that is to say, one begotten in Adultery, the Husband being then within the

the four Seas. He can make an Infant of full age, make an Alien or Forreigner an Englishman, can attain a man of Treason when he is dead, when he is no more a man, &c.

A Parliament is summoned in manner following; about 40 dayes before the Parliament doth assemble, the King Issues out his Writ *cum Advifimento Concilii fui*, and the Warrant is, *per ipsum Regem & Concilium*.

The Kings Writ (which is a short Letter or Epistle) is directed and sent to every particular person of the Lords Spiritual and Temporal, commanding the Lords Spiritual in *Fide & Dilectione*, and the Lords Temporal, *per Fidem & Allegiantiam*, to appear at a certain time and place, to Treat and give their Advice in some certain important affairs concerning the Church and State, &c.

Other Writs are sent to the High Sheriff of each County, to summon the People to elect two Knights for each County, two Citizens for each City, and one or two Burgesles for each Burrough, according to Statute, Charter or Custom.

In these Elections, antiently, all the people had their Votes, and most Votes carried it; but for avoiding of tumults and trouble, it was Enacted by H. VI. that none should have any suffrage in the election of Knights of the Shire, but such as were Freeholders, did reside in the County, and had yearly Revenue 40 s. (which till the disco-

very of the Gold and Silver in *America*, was as much as 30 or 40 *l.* now) whence it came to pass, that the Lay-Commons were then elected as the Clergy-Commons, the *Procuratores Cleri* were, and ever have been, viz. *sine Prece, sine Pretio, sine Poculo, &c.*

The persons elected for each County, are to be *Milites Notabiles*, or at least *Esquires* or Gentlemen, fit to be made Knights, as it is in the Statutes of *H. VI.* They ought to be *discretioribus Militibus, & ad laborandum potentioribus*, as the words in some Writs have been: they ought not to be of younger years, for then it would be *Juvenatus (si sic loqui liceat) potius quam Senatus*, not lazy *Epicures*, but men of years, vigorous, active and abstemious men, that will be content to give their constant attendance in Parliament, or else to enjoy neither Priviledge nor Expences allowed to every Member of the Commons House. They ought to be native English men, or at least such as have been Naturalized by Act of Parliament. No Alien or Denizon, none of the Twelve Judges, no Sheriff of a County, no Ecclesiastical person that hath cure of Souls, may be chosen a Parliament man, to serve for any County, City, or Burrough.

Two things are said to be requisite to the legality of sitting in Parliament; first, that a man should be of full age, that is, 21 years old at the least; for if no man under that age can dispose of his Estate, nor make

make one legal Act to that purpose, then much less may he bear any part in the supreme power of the Nation, to Judge, Vote, or Dispose of the Estate of the whole Realm: yet the practice in the House of Commons (though never in the House of Lords,) hath sometimes been otherwise.

All Members of Parliament, both Lords and Commons, that they may attend the publick Service of their Countrey, are privileged with their menial Servants attending on their persons, together with all their necessary Goods, brought along with them from all Attachments and Imprisonments, for Debts, Trespasses, Account or Covenant, all the time that they are on the way to the place of Parliament, all the time they are on the way home again, *Eundo, Morando, ad propria redeundo* (for so were the old words) but they are not privileged from Arrests for Treason, Felony, or breach of the Peace.

The place of meeting for this High and Honourable Assembly, is in whatsoever City, Town, or House the King pleaseth, but of latter times it hath been usually held at the Kings antient Palace, and usual Residence at *Westminster*, all the Lords in a fair room by themselves, and the Commons not far from them in another fair room, which was heretofore the antient free Chappel of St. Stephen.

The manner of sitting in the Lords House is thus.

The present State

The King as oft as he comes (which hath usually been, onely at the opening of Parliaments, or at the passing of Bills, or at some solemn debates, as the present King hath frequently done) is placed at the upper end of the Room in a Chair of State, under a Cloth of State, under which on either hand none but the Kings Children.

On the Kings right hand is a seat, antiently for the King of *Scotland*, when he was summoned to Parliament, as he sometimes was *in fide & legiantia*; but now it is for the Prince of *Wales*. On the Kings left hand is a Seat for the Duke of *York*.

On the Kings right hand and next the wall, are placed on a Form the two Archbishops, next below on another Form, the Bishops of *London*, *Durham*, and *Winchester*, then upon other Formes on the same side all the rest of the Bishops sit according to the priority of their Consecration.

On the Kings left hand upon Forms, are placed the Lords Chancellor, Treasurer, President of the Kings Council, and Lord Privy Seal; if they are Barons, above all Dukes, except those of the Royal Family, if they are not Barons, then they sit uppermost on the Woolfacks.

On the same side sit the Dukes, Marquisses and Earls, according to their Creations.

Upon the first Form, across the House, below the Woolfacks sit the Viscounts, and upon the next Forms the Barons all in Order.

The

The Lord Chancellor or Keeper (if the King be present) stands behind the Cloth of Estate, otherwise sits on the first Wool-sack thwart the Chair of State, his Great Seal and Mace by him. He is Lord Speaker of the Lords House. Upon other Wool-sacks sit the Judges, the Privy Counsellors, and Secretaries of State, the Kings Council at Law, the Masters of Chancery. These being not Barons, have no suffrage in Parliament, onely sit to give their advice when it is required. The reason why these Sages are placed upon Wool-sacks, may probably be to mind them of the great importance of Wool and Sheep to the Nation, that it never be neglected.

On the lowermost Wool-sack are placed the Clerk of the Crown, now Henry Barker Esquire, and Clerk of the Parliament at present John Brown Esquire; whereof the former is concerned in all Writs of Parliament, and Pardons in Parliament; the other recordeth all things done in Parliament, and keepeth the Records of the same. This Clerk hath also two Clerks under him; who kneel behind the same Wool-sack, and Write thereon. Without the Bar of the Lords House sits the Kings first Gentleman Usher, called the Black Rod, from a black Staff he carries in his hand, under whom is a Yeoman-Usher that waits at the door within, a Crier without, and a Sergeant at Mace alwayes attending the Lord Keeper.

The present State

When the King is present with his Crown on his head, none of the Lords are covered.

The Judges stand till the King gives them leave to sit.

When the King is absent, the Lords at their entrance do reverence to the Chair of State, as is or should be done by all that enter into the Kings presence-Chamber.

The Judges then may sit, but may not be covered till the Chancellor or Keeper signify unto them the leave of the Lords.

The Kings Council and Masters of Chancery sit also, but may not be covered at all.

The Commons in their House sit promiscuously, only the Speaker hath a Chair placed in the middle, and the Clerk of that House near him at the Table. They never had any Robes (as the Lords ever had), but wear every one what he fancieth most, which to strangers seems very unbecoming the Gravity and Authority of the Great Council of England: and that during their attendance on Parliament, a Robe or Grave Vestment would as well become the Honourable Members of the House of Commons, as it doth all the Noble Venetians, both young and old, who have right to sit in the Great Council of Venice, and as it doth the Senators of Rome at this day, &c.

The time of sitting in Parliament, is on any day in the morning, or afore dinner, only it hath antiently been observed, not to assemble upon some high Festival dayes, but upon ordinary Sundays oft-times, as dayes accounted by all Christians, less solemn then
divers

divers other Festivals, which are celebrated but once a year.

When the day prefix by the King in his Writs of Summons is come, the King usually cometh in person with his Crown on his Head, and clothed with his Royal Robes, declares the cause of the Summons in a short Harangue, leaving the rest to the Lord Keeper, who then stands behind his Majesty; the Commons in the mean time standing bare at the Barr of the Lords House, are afterwards in the Kings name commanded to choose them a Speaker (which without the Kings Command they may not do) whereupon they returning to their own House, make choice of one of their own Members, whom afterwards upon another day they present to the King, and being approved of by His Majesty, sitting in his Chair, and all his Lords, both Spiritual and Temporal in their Robes of Scarlet, he makes a modest refusal; which not allowed, he petitioneth his Majesty that the Commons may have during their sitting; *First*, a free Access to His Majesty. *Secondly*, Freedom of Speech within their own House. *Thirdly*, Freedom from Arrests.

Before any affair be medled with, all the Members of the House of Commons take the Oath of *Allegiance* and *Supremacy*, in the presence of an Officer appointed by the King.

By that old Manuscript called *Modus re-nendi Parliamentum*, it doth appear, that the House of Commons did antiently (as the House of Lords at this day) consist of Clergy.

Clergy-men as well as Lay-men ; there sate the *Procuratores Cleri*, two for each Diocess, representing all the Clergy Commons of the Diocess, as the Knights of the Shire doth all the Lay-Commons of the Shire ; for it was then judged expedient that every Freeman of *England*, as well Clergy as Laity, should in passing of all Laws touching propriety, whereunto they were to be subject, give their consent personally or immediately by themselves, or else by some that by their election should mediately undertake for them, and the words of the Writ for summoning the *Procuratores Cleri*, as aforesaid, seem to warrant the same at this day.

The Power and Priviledges of both Houses of Parliament are divers and distinct one from another.

The Lords House hath a power not onely in making and repealing Laws, but also in *trahendo & consilium impendendo*, as the words of the Writ are, also in judging of Controversies, judging in the Arraignment of any Peer of the Realm, putting men to their Oaths, especially in matters of importance, as the Corruption of Judges and Magistrates, in Errours, Illegal proceedings in other Courts, in Appeals from Decrees in Chancery, &c.

The Lords that in their Religion conform not to the Church of *England*, may yet sit and have Suffrage in the Lords House.

All the Lords Spiritual and Temporal have this Priviledge, That if by reason of Sickness, or other business, they cannot appear

pear, they may make Proxies to vote in their stead, after Licence obtained by a Letter under the Kings Signet, to be excused for their absence: so that in every Parliament, every person in *England*, either by himself, Proxy, or Representative is said to be there, and to have his Suffrage for making or repealing any Law.

The Commons have also a power in making and repealing Laws, they also have their Negative Voyce, for Levying of any money upon the Subject, the Bill is to begin in the Commons House, because from them doth arise the greater part of Monneys.

The Commons have the Priviledge to supplicate and propose Laws, to impeach publick Delinquents, even the highest Lords of the Kingdom, both Spiritual and Temporal.

The House of Commons is the Grand Inquest of the Realm summoned from all parts to present publick grievances, and Delinquents to the King and Lords, to be redressed and punished by them, and to this purpose, the Lords sit in their Robes on the Bench covered, as Judges do in other Judicatories; they swear and examine Witnesses, and at length pass sentence, whilst the Members of the Commons House stand bare at the Bar of the Lords House, produce Witnesses, mannage evidence, &c.

Note, that although every Member of the Commons House is chosen to serve for one particular County, City, or Burrough,

yet

yet he serves for the whole Kingdom, and his voyce equal to any other, his power absolute to consent or dissent without ever acquainting those that sent him, or demanding their assent, as the States General of the *United Neatherlands* are obliged to do in many Cases.

Yet are they to make it their special care to promote the Good of that County, City or Borough for which they serve.

Although the Lords of Parliament are to bear their own charges, because they represent there onely themselves; yet all the Commons, both Lay and Clergy, that is, the *Procuratores Cleri*, are to have *rationabiles Expensas* (as the words of the Writ are) that is, such allowance as the King considering the Prices of all things, shall judge meet to impose upon the people to pay. In the 17 Edward 2. it was 10 groats for Knights, and 5 groats for Burgesles, but not long after it was 4 s. a day for subbed Knights, and 2 s. for all others; which in those days, as appears by the prices of all things, was a considerable sum, above 20 times more than it is now. for not onely their expences were considered, though that was great, by reason of the sutable attendance that then every Parliament man had, but also their pains, their loss of time, and necessary neglect of their own private affairs for the service of their Country; and when the Countries, Cities and Burroughs, paid so dear for their expences, they were wont to take care

to choose such men as were best able and most diligent in the speedy dispatch of affaires, by which means, with some other more business in those times was dispatched in Parliament in a week, then is now perhaps in ten: so that the Protections for Parliament men and their Servants from Arrests, were not then grievous, when scarce any Parliament or Session lasted so long as one whole Term.

In the Reign of Edward 3. the Parliaments sometimes lasted but eight days, and sometimes less, as may be seen in the Records of the Tower, and yet transacted several and weighty affairs of the Nation, many things being prepared before hand; (as some think) by the King and his Privy Council, as they are at present in Sweden, and that commonly they then debated only upon such things, as the King did propose, which is now done by the Convocation of the Clergy of England.

The afore-mentioned expences being duly paid, did cause all the petty decayed Burroughs of England to become humble Suitors to the King that they might not be obliged to send Burgeses to Parliament, whereby it comes to pass that divers were unburgesed; as it was in particular granted to Chipping, or Market Torrison upon their petition, and then the number of the Commons house being scarce half so many as at present, their Debates and Bills were sooner expedited, no faction among them, nor distinction of parties, but altogether

together by a blessed unanimity amongst themselves, and compliance with the Lords, rarely denyed any thing to the King, and as rarely were denyed any thing by the King.

The manner of debates of passing of Bills and Acts, is thus.

It is the practice of each House to debate not onely of what the King hath proposed, but of any other Lay matters, unless their Sovereign shall expressly forbid the same, as heretofore hath sometimes been done.

It is free for any man of the Parliament, or not of the Parliament, to get a Bill drawn by some Lawyer, and give the same to the Speaker or Clerk of the Parliament, to be presented at a time convenient, and this Bill may be put first either in the Lords House or the Commons House.

Whatever is proposed for a Law, is first put in Writing, and called a Bill, which, being read commonly after 9 of the clock in a full Assembly, it is either unanimously rejected at first; or else allowed to be debated, and then it is committed to a certain number of the House presently nominated and called a Committee. After it hath been amended, and twice read two several days in the House, then it is engrossed, that is, written fair in Parchment, and read the third time another day, and then, if it be in the Lords House, the Lord Keeper; in the Commons House, the Speaker demandeth if they will have it put to the question, whether a Law or no Law & if

if the major part be for it, there is written on the Bill by the Clerk, *Soit baillé aux Communes*, or, *Soit baillé aux Seigneurs*, retaining still in this, and some other things about making Laws, the custom of our Ancestors, who were generally skilled in the French Tongue.

Note, that when the Speaker finds divers Bills prepared to be put to the question, he gives notice the day before, that on the morrow he intends to put such Bills to the passing or third reading, and desires the special attendance of all the Members.

Note also, that if a Bill be rejected, it cannot be any more proposed during that Session.

A Bill sent by the Commons up to the Lords is usual (to shew their respect) attended with 30 or 40 of the Members of the House; as they come up to the Lords Bar, the Member that hath the Bill making three profound reverences, delivereth it to the Lord Keeper, who for that purpose comes down to the Bar.

A Bill sent by the Lords to the Commons, is usually sent by some of the Masters of the Chancery, or other person whose place is on the Woollsacks (and by none of the Members of that House) and they coming up to the Speaker, and bowing thrice, deliver to him the Bill, after one of them hath read the Title, and desired it may be there taken into consideration: if afterwards it pass that House, then is written on the Bill, *Les Communes ont assenté*.
When

When any one in the Commons House will speak to a Bill, he stands up uncovered, and directs his Speech onely to the Speaker, then if what he delivers, be confuted by another, yet it is not allowed to answer again the same day, lest the whole time should be spent by two talkative persons. Also if a Bill be debating in the House, no man may speak to it in one day above once.

If any one speak words of offence to the Kings Majesty, or to the House, he is called to the Bar, and sometimes sent to the Tower. The Speaker is not allowed to perswade or dissuade in passing of a Bill, but only to make a short and plain Narrative, nor to Vote except the House be equally divided.

After Dinner the Parliament ordinarily Assembles not, though many times they continue sitting long in the afternoon.

Committees sit after Dinner, where it is allowed to speak, and reply as oft as they please.

In the Lords House, they give their Suffrages or Votes beginning at the *Puisne* or lowest Baron, and so the rest *Seriatim*, every one answering apart [*contens*] or [*not content*].

In the House of Commons they vote by *Yea's* and *No's* altogether, and if it be doubtful whether is the great number, then the *Yea's* are to go forth, and the *No's* are to sit still (because these are con-

tent

rent with their present condition, without any such addition or alteration of Laws as the other desire,) and some are appointed to number them, but at a Committee, though it be of the whole House, as is sometimes, the *Yea's* go on one side, and the *No's* on the other, whereby they may be discerned.

If a Bill pass in one House, and being sent to the other House, they demur upon it, then a Conference is demanded in the Painted Chamber, where certain deputed Members of each House meet, the Lords sitting covered at a Table, the Commons standing bear with great respect, where the business is debated: if they then agree not, that business is nulled, but if they agree, then it is at last brought (with all other Bills which have passed in both Houses) to the King, who comes again with his Crown on his Head, and clothed with his Royal Robes (Sometimes before his Pleasure is to prorogue or dissolve them,) and being seated in his Chair of State, and all the Lords in their Robes, the Clerk of the Crown reads the Title of each Bill, and as he reads, the Clerk of the Parliament, according to his instructions from the King, who before hath maturely considered each Bill, pronounceth the Royal Assent. If it be a publick Bill, the Answer is [*Le Roy le veut*] which gives Life and Birth to that Bill, that was before but an Embrio. If a private Bill, the Answer is [*Soit fait comme il est desire*] If it be a pub-

publick Bill, which the King likes not, then the Answer is [*Le Roy s'avisera*] which is taken for an absolute denyal in a more civil way, and that Bill wholly nulled. So that it is as true in England in some sence, as in any Monarchy in the World, *Quod Principi placuit legis habet vigorem*. Not that whatever the King of England wills becomes immediately a Law, but that nothing except what the King wills hath the force of a Law.

Note, that the King without his personal presence, can by Commission granted to some of his Nobles, give his Royal Assent to any Bill that requires hast.

If it be a Bill for Moneys given to his Majesty, then the Answer is [*Le Roy remercie ses loyaux sujets, accepte leur Benevolence, & aussi le veut*] which antient Ceremony of thanking the Subject for parting with their Money, some think might better be spared, because it intimates a distinct interest between the King and his Subjects, which is not onely false, but very dangerous to be allowed of. The King is *Pater patriæ*, the Money given to him is for our use and benefit, if we are niggardly to him, we injure our selves, &c. The Bill for the Kings general pardon, hath but one reading in either House, for this reason, because they must take it as the King will please to give it so the Bill of Subsidies granted by the Clergy assembled in Convocation for the same reason. When the Bill for the general Pardon is passed by
the

the King, the Answer is thus (*les Prelats Signeurs & communes en ce Parlement assemblez au nom de tous vos autres Sujets, remercient tres humblement vostre Majeste & prient Dieu vous donner en sante bonne vie & longue.*)

All Acts of Parliament before the Reign of Henry 7. were passed and enrolled in French, now in English.

Most of our antient Acts of Parliament run in this stile; The King at the humble request of the Commons, with the assent of the Prelates, Dukes, Earls, and Barons, hath ordained or enacted. After it was thus, The King by the Advice and Assent of the Lords Spiritual and Temporal, and with the Assent of the Commons doth enact: of later times it hath been thus, Be it Enacted by the Kings most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and of the Commons: although the words of the Writ for summoning the Commons (which ought to be the main rule) is onely *ad Consentiendum*, and not *ad Consilium impendendum*, as it is in the Writ to the Lords, and it is evident that the Commons in the late long Parliament made that an advantage for justifying their usurpations against the King in that point; and so in another Parliament, the Commons endeavored to maintain that the Concurrence of the Lords was not always necessary in an Act of Parliament, because, 1 Edward 6. cap. 5. in passing that Act against

gainst transportation of Horses, the Lords were casually omitted, yet by the Register of the Lords House, it appears that that Bill began first in the Lords House, and there passed, before the Commons took it in debate, and therefore the Kings Council at Law is very curious in wording rightly all Acts before they are brought to the King, and the Clerks of the Parliament as careful in transcribing and registering them: However it is to be wished, that to prevent future mischief to this Nation; some Clauses in the late Act of Oblivion and Indemnity might be amended, or at least explained; and more especially about the beginning of that Act, these words, *(That all manner of Treasons, &c. since January 1697, and before June 1660, by vertue of any Authority from his late Majesty King Charles, or his Majesty that now is, be pardoned, &c.)* which words might possibly be foisted in, designedly, to insinuate, as if (according to that most absurd and Traiterous position of some of the Rebellious Members of the Long Parliament) the Kings person or any commissioned by him, could be guilty of Treason against the Kings Authority, or against his two Houses of Parliament, by pursuing of Rebels to bring them to Justice according to the Laws of the Land. It were also to be desired, that to prevent the great dishonour of making additional and explanatory Acts of Parliament, so frequently as hath of late been done, all considerable Bills

Bills of, Publick concernment, once read in either House of Parliament, may (before they be passed) be exposed to the view of all comers (as antiently among the Romans was usual) to the end that any other person (besides those of the two Houses) may within the space of certain days freely propose in Writing or otherwise, his exceptions, additions, alterations, or amendments, *Sed hæc obiter.*

When those things for which the Parliament was summoned have been sufficiently treated and brought to a conclusion, then the King doth usually adjourn, prorogue or dissolve the Parliament, in manner following.

The adjournments are usually made in the Lords House, by the Lord Keeper, in the Kings Name, to what other day the King pleaseth, and also to what other place if he think fit to remove them, as sometimes hath been done, and then all things already debated and read in one or both Houses, continue to the next meeting in the same state, they were in before the adjournment, and so may be resumed.

In the like manner, the Parliament is Prorogued, but by a Prorogation there is a Session, and then the Bills that were almost ready in both Houses for the Royal Assent, not having it, must at the reassembling of the Parliament begin anew.

The Speaker of the House of Commons upon notice given that it is the Kings pleasure that House shall also adjourn, doth say,

say, with the assent of the House, This House is adjourned.

When the Kings pleasure is to prorogue or dissolve the Parliament, his Majesty commonly cometh in person with his Crown on his Head, sendeth for all the House of Commons, to come to the Bar of the Lords House: and after the Kings answer to each Bill signified as afore mentioned, his Majesty usually makes a Solemn Speech, the Lord Keeper another, and the Speaker of the House of Commons a third, then the Lord Keeper by the special command of the King doth pronounce the Parliament prorogued or dissolved.

Note, That the King being head of the Parliament, if his death doth happen during the sitting of the Parliament, it is, *ipso facto* dissolved.

Antiently, after every Session of Parliament the King commanded every Sheriff to proclaim the several Acts, and to cause them to be duly observed, yet without that Proclamation, the Law intended that every one hath notice by his representative of what is transacted in Parliament: of later times since Printing became common, that Custom hath been laid aside.

The

*The Number of Persons that have
Place and Suffrage in both
Houses.*

TO the Lords House belong now two Dukes of the Royal Blood; 7 other Dukes. 3 Marquises. 56 Earls. 9 Vicounts, and 67 Barons, in all 154. Then there are two Archbishops, and 24 Bishops; so that the Total is about 180. But many being under age, some sick and infirm, others abroad in the Kings Service, the ordinary number is about 100.

To the House of Commons belong first for the 40 Shires of *England* two for each, in all 80 Knights; then one for each of the twelve Counties of *Wales*, 12 Knights. For 25 Cities in *England*, two to each, and *London* four, in all 52 Citizens. For the *Cinque Ports* 16 Barons, for the two *Universities* two Burgeses for each: For 168 Burroughs there are about 330 Burgeses, for some few of those Burroughs send but one Burgess apiece, Lastly, in each of the 12 Counties of *Wales*, there is one Burrough that sends only one Burgess; so the total Number of the House of Commons, is a little above 500 persons, whereof commonly near 100 are absent upon business or sickness, &c.

Note, that the Barons of the Cinque Ports, are at this day onely as other Burgeses

gesse in Parliament, but are still called Barons, after the antient manner, because heretofore they got great renown by their exploits at Sea, in defending the Kingdom, in memory whereof, they have yet the Priviledge to send Burgessees to bear the Cloth of State over the Kings Head on the day of his Coronation, and to dine that day in the Kings Presence.

A List of all the Knights, Citizens, Burgeses and Barons of the Cinque Ports, that at present serve in the Parliament of England.

Bedford.

SIR Humphry Winch, Bar.

Sir John Nappier, Bar.

Town of Bedford.

Pawlet St. John, Esq;

Sir William Beecher, Kt.

Berks.

Richard Nevil, Esq;

Sir Richard Powle, Kt. of the Bath.

Borough of New Windsor.

Sir Richard Braham, Kt.

Sir Thomas Higgons, Kt.

Borough of Reading.

Sir Thomas Doleman, Kt.

Richard Aldworth, Esq;

Borough of Wallingford.

Sir John Benet, Kt. of the Bath.

The present State**Robert Packer, Esq;***Borough of Abingdon.***Sir George Stonehouse, Bar.****Bucks.****Sir William Bowyer Kt. and Bar.****Sir William Terringham, Kt. of the
Bath.***Town of Bucks.***Sir Richard Temple, Bar.****Sir Williauw Smith, Bar.***Borough of Chipping Wiccomb.***Sir Edmond Pye, Kt. and Bar.****Sir John Burlace, Bar.***Borough of Aylesbury.***Sir Richard Ingoldsby, Knight of the
Bath.****Sir Thomas Lee, Bar.***Borough of Agmondesham.***Sir Will. Drake, Kt.****Sir Thomas Proby, Bar.***Borough of Wendever.***Richard Hampden, Esq;****Robert Crook, Esq;***Borough of great Marlowe.***Peregrine Hobby, Esq;****Charles Cheyney, Esq;****Cam-**

Cambridge.

Sir Thomas Chicheley, Kt.

Sir Thomas Wendy, Knight of the Bath.

University of Cambridge.

Thomas Crouch, Master of Arts.

Sir Charles Wheeler, Bar.

Town of Cambridge.

William Lord Allington.

Roger Pepis, Esq;

Chester.

Sir Foulke Lucy, Kt.

Thomas Cholmly Esq;

City of Chester.

Sir Thomas Smith, Bar.

John Radcliff, Esq;

Cornwall.

Sir Jonath. Trelawny, Kt.

Sir John Corryton, Bar.

*Borough of Dunhivid, alias
Launceston.*

E 3

Sir

The present State

Sir Richard Edgecombe, Knight of the
Bath.

Sir Charles Harbord Knight, His Maje-
sties Surveyor General.

Borough of Leskeard.

John Harris, Esq;

Barnard Greenville, Esq;

Borough of Lestwithiel.

Charles Smith, Esq;

Silas Titus, Esq;

Borough of Truroe.

John Arundel, Esq;

Edward Boscawen, Esq;

Borough of Bodmin.

Sir John Carew, Bar.

Hender Roberts, Esq;

Borough of Helston.

Sir William Godolphin, Bar.

Sidney Godolphin, Esq;

Borough of Saltash.

Francis Buller, Junior Esq;

John Buller, Esq;

Borough of Camelford.

Thomas Coventry, Esq;

Sir Will. Godolphin, Kt.

Borough of Port-Pigiam, alias

Westlow.

Sir Henry Vernon, Bar.

John

John Trelawny, Esq;

Borough of Crampond.

Charles Trevanion, Esq;

John Tanner, Esq;

Borough of Estlow.

Henry Seymour, Esq;

Sir Robert Atkins, K^t of the Bath.

Borough of Tenryn.

William Pendarvis, Esq;

John Birch, Esq;

Borough of Tregony.

Hugh Boscawen, Esq;

Thomas Herle, Esq;

Borough of Bossiny.

Robert Roberts, Esq; :

Richard Rous, Esq;

Borough of St. Ives.

James Praed, Esq;

Edward Nosworthy, Esq;

Borough of Fowey.

Jonathan Rashley, Esq;

John Rashley, Gent.

Borough of St. Germans.

John Elliot, Esq;

Edward Elliot, Esq;

Borough of St. Michael.

Matthew Wren, Esq;

Francis Lord Hawley.

The present State*Borough of Newport.*

John Speccot, Esq;
 Nicolas Morice.

Borough of St. Mawes.

Arthur Spry, Esq;
 Sir Joseph Tredinham.

Borough of Kellington.

Sir Cyril Wych, Kt.
 Sam. Roll, Esq;

Cumberland.

Sir George Fletcher, Bar.
 Sir John Lowther, Bar.

City of Carlisle.

Sir Philip Howard, Kt.
 Christopher Musgrave, Esq;

Borough of Cockermouth.

Sir Wilfrid Lawson, Kt.
 John Clark, Esq;

Derby.

William Lord Cavendish.
 Sacheveril Esq;

Town of Derby.

John Dalton, Esq;
 Anchetel Grey, Esq;

De-

Devon.

Sir John Roll, Knight of the Bath.
Sir Copplestone Bamfield, Kt.

City of Exeter.

Sir James Smith, Kt.

Robert Walker, Esq;

Borough of Totnes.

Sir Edward Seymour, Bar.

Sir Thomas Clifford, Kt.

Borough of Plymouth.

Sir William Morice, Kt.

Sir Gilbert Talbot Kt.

Town and Borough of Okehampton.

Sir Edward Wise Kt. of the Bath.

John Harris Esq;

Borough of Barnstable.

Sir John Norcot, Bar.

Nicholas Dennis, Esq;

Borough of Plympton.

Sir William Stroude, Kt.

Sir Nicholas Slanning, Kt. and Bar.

Borough of Honiton.

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Borough of Tavistock.

George Howard, Esq;

The present State

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Sir Geo. Sonds, Kt. of the Bath.

John Fowel, Esq;

*Borough of Clifton Dartmouth,
Hardnes.*

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William Gould, Esq;

Borough of Beeralston.

Sir John Maynard, Kt the Kings-Serge-
ant at Law.

Joseph Maynard, Esq;

Borough of Tiverton.

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Henry Ford, Esq;

Dorset.

Giles Strangeways, Esq;

Sir John Strode, Kt.

Town of Poole.

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Thomas Trenchard, Esq;

Borough of Dorchester.

James Gould, Esq;

John Churchill, Esq;

Borough of Kings Lime.

Sir John Shaw, Kt. and Bar.

Henry

Par. 2. of England.

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Sir John Coventry, Kt. of the Bath.

Sir Winston Churchill, Kt.

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Bullen Reymes, Esq;

Anthony Ashley, Esq;

Borough of Bridport.

Humphrey Bishop, Esq;

John Strangewaite, Esq;

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George Pit, Esq;

Robert Culleford, Esq;

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John Tregonwell, Esq;

Ester.

Banestre Maynard, Esq;

Sir John Bramstone Knight of the Bath.

Borough of Colchester.

Sir Harbottle Grimstone Baronet. Ma-
ster of the Rolls.

Sir John Shaw, Kt.

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Sir Richard Wiseman, Kt.

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Sir Capel Luckin.

Gloucester.

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Sir Bainham Throgmorton, Kt.

City of Gloucester.

Sir Edward Marry, Kt.

Evan Sey s, Sergeant at Law.

Borough of Cirencester.

Henry Fowle, Esq;

John George, Esq;

Borough of Tewksbury.

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City of Hereford.

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Sir Francis Clerk, Kt.

Richard Head, Esquire.

Borough of Maidstone.

Thomas Herlackenden, Esquire.

Sir Robert Banneham, Bar.

Borough of Queenborough.

James Herbert, Esquire.

Sir Edward Hales, Bar.

Lancaster.

Sir Roger Bradshaw, Kt.

Thomas Preston, Esquire.

Borough of Lancaster.

Richard Kirkby, Esquire.

Richard Harrison, Esquire.

Borough or Town of Preston in

Amounderness.

Edward Rigby Esquire.

John

Par. 2. of England.

87

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Borough of Newton.

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Richard Leigh, Esq;

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George Faunt, Esq;

Town of Leicester.

Sir William Hartop, Kt.

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Sir John Mounson jun. Kt. of the
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Sir Anthony Irby Kt.

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Northampton.

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George Clark, Esquire.

City of Peterborough.

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Sir Vere Fane.

Town of Northampton.

Lord O Bryon.

Sir William Farmer.

Town of Brackley.

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Town of Berwick upon Tweed.

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Sir Anthony Cope, Knight and Bar.

University of Oxon.

Lawrence Hide, Esquire.

Sir Henage Finch, Kt. and Bar, His
Majesties Atturney General.

City of Oxon.

Robert Croke, Esquire.

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Borough of Banbury.

Sir John Holeman, Kt.

Butland.

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Phillip Sherrard, Esquire.

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George Weld, Esquire.

Town

Town of Bishops-Castle.

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Somerset.

Edward Philips, Esquire.

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Sir John Knight, Kt.

Sir Humphrey Hoop, Kt.

City of Bath.

Sir William Bassett, Kt.

Sir Francis Popham, Kt. and Bar.

City of Wells.

Richard Lord Butler, Earl of Arran.

Sir Maurice Berkeley, Knight and Bar.

Lord Fitzharding.

Borough of Taunton.

Sir William Portman, Bar.

Sir William Windham Kt.

Borough of Bridgewater.

Edmond Windham, Esq;

Peregrine Palmer, Esq;

Borough of Minehead.

Sir Jo. Malet, Kt.

Sir Hugh Windham, Kt.

The present State

Borough of Ilcester.

Sir Edward Phillips jun. Kt.

Henry Dunster, Merchant.

Borough of Milborneport.

Francis Windham Esquire.

Michael Mallet, Esquire.

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Charles Lord St. John.

Sir John Norton, Bar.

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Town of Southampton.

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Thomas Knowles, Esquire.

Town of Portsmouth.

Richard Norton, Esquire.

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Borough of Tarmouth.

Richard Lucy, Esquire.

Edward Smith, Esquire.

Borough of Peterfield.

Thomas Neal, Esquire.

Arthur Bold, Esquire.

Borough of Newport, alias Medena.

Sir Robert Dillington.

William Glascock, Esq;

Be-

Borough of Stockbridge.

Sir Robert Howard, Kt.

Robert Phillips, Esquire.

Borough of Newtown.

Sir John Barrington, Kt. and Bar.

Sir Robert Worsley, Kt. and Bar.

Borough of Christchurch.

Humphry Weld, Esquire.

Henry Tulse, Esquire.

Borough of Whitchurch.

Henry Wallop Esquire.

Giles Hungerford, Esquire.

Borough of Lymington.

Sir William Lewis, Bar.

Sir Nicholas Steward, Bar.

Town of Andover.

John Collins, Esquire.

Sir John Trot, Bar.

Stafford.

Sir Edward Littleton, Bar.

Randolph Egerton, Esquire.

City of Litchfield.

Richard Diot, Esquire.

Sir Theophilus Bidolph, Kt. and Bar.

Borough of Stafford.

Robert Milward, Esquire.

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William Cherwinde, Esquire.

Borough of Newcastle under Line.

Sir Caesar Colclough, Bar.

Edward Manwaring, Esq;

Borough of Tamworth.

Charles Lord Clifford.

John Swinfein, Esquire.

Suffolke.

Sir Henry Felton, Bar.

Sir Henry North, Bar.

Borough of Ipswich.

John Wright, Esquire.

William Bloise sen. Esquire.

Borough of Dunwich.

VVilliam VVood, Esquire.

Sir John Pettus Kt.

Borough of Orford.

Sir Allen Broderick, Knight.

VValter Devereux, Esquire.

Borough of Aldeborough.

Sir John Holland, Bar.

Jo. Bence, Esquire.

Borough of Sudbury.

Sir Robert Cordel, Bar.

Thomas VValgrave, Esquire.

Borough of Eye.

Sir George Reeve, Kt. and Bar.
Charles Cornwallis, Esquire.

Borough of St. Edmonds-bury.

Sir John Duncomb, Kt.
Sir Edmond Pooley, Kt.

Surrey.

Sir Adam Brown, Bar.
Sir Edmond Bowyer, Kt.

Borough of Southwark.

Sir Thomas Bludworth, Kt.
Sir Thomas Clarges, Kt.

Borough of Blechingly.

Sir William Hayward, Kt.
Sir Edward Bish, Kt.

Borough of Rygate.

Roger James, Esquire.
Sir Edward Thurland, Kt.

Borough of Guildford.

Arthur Onslow, Esquire.
Thomas De Mahoy, Esq;

Borough of Gattou.

Thomas Turgis, Esquire.
Sir Nicolas Carew, Kt.

Borough of Haslemere.

George Evelyn, Esquire.

The present State

Thomas Morrice, Esq.

Suffer.

Sir John Pelham, Bar.

Sir Will. Morley, Kt. of the Bath.

City of Chichester.

Sir Henry Peckham, Kt. Serjeant at Law.

William Garaway, Esquire.

Borough of Horsham.

Sir John Covert, Kt. and Bar.

Orlando Bridgman, Esquire.

Borough of Midhurst.

Baptist May, Esquire.

John Steward, Esquire.

Borough of Lewis.

Sir John Stapely Kt. and Bar.

Sir Thomas Woodcock, Kt.

Borough of New-Shoreham.

Edward Blaker, Esquire.

Jo. Fag, Esquire.

Borough of Bramber.

Sir Cicil Bishop

Piercy Goring, Esquire.

Borough of Steyning.

Sir John Fag, Bar.

Henry Goring, Esq.

Bo

Borough of East-Grimsted.

Charles Lord Buckhurst.

Sir George Courthop, Kt.

Borough of Arundel.

Roger, Earl of Orrery.

Francis, Lord Angier.

Warwick.

Sir Robert Holt, Bar.

Sir Henry Puckering, alias Newton.

City of Coventry.

Sir Clement Fisher, Bar.

Richard Hopkins, Esq;

Borough of Warwick.

Sir Francis Compton, Kt.

Foulk Grevile, Esq;

Westmerland.

Sir Philip Musgrave Bar.

Sir Thomas Strickland, Kt.

Borough of Apulby.

Thomas Tufton, Esq;

John Dalston, Esq;

Wilts.

Henry Lord Cornbury.

The present State

Thomas Thin, Esq;

City of New Sarum.

Sir Stephen Fox, Kt.

Richard Coleman, Esquire.

Borough of Wilton.

Sir John Birkenhead, Kt.

Sir Thomas Mompesson, Kt.

Borough of Downton.

Gilbert Rawleigh, Esq;

Sir Joseph Ash, Kt.

Borough of Hindon.

Edward Seymor, Esq;

Sir George Grubham How, Bar.

Borough of Westbury.

Richard Lewis, Esq;

Thomas Wanklyn, Esq;

Borough of Hetsbury.

John Jolliffe, Esq;

William Ash, Esq;

Borough of Calne.

William Duckett, Esq;

George Low, Esq;

Borough of the Devises.

Edward Lewis, Esq;

George Johnson.

Borough of Chippenham.

Sir Edward Hungerford, Kt. of the Bath.

Henry Baynton, Esq;

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Borough of Malmesbury.

Phillip Howard, Esq;

Sir Edward Pool, Kt.

Borough of Cricklade.

Sir George Hungerford, Kt.

Sir John Earnely, Kt.

Borough of Great Bedwin.

Sir John Trevor, Kt.

Henry Clerk, Esq;

Borough of Lugdresul.

William Ashburnham, Esq;

Thomas Gray, Esq;

Borough of Old Sarum.

Edward Nicholas, Esq;

Sir Eliab Harvey, Kt.

Borough of Wooten Bassett.

Sir Walter St. John Bar.

John Pleydal, Esq;

Borough of Marleborough.

John Lord Seymour.

Jeoffery Daniel, Esq;

Worcester.

Sir John Packington, Bar.

Samuel Sandys Sen. Esq;

City of Worcester.

Sir Rowland Berkly, Kt.

The present State

Thomas Street, Esq;
Borough of Droitwich.

Henry Coventry, Esq;

Samuel Sandys, Jun. Esq;

Borough of Evesham,

Sir John Hanmer, Kt.

Sir James Rosshout, Kt.

Borough of Bewdly.

Sir Henry Herbert, Kt.

Worck.

Conyers Darcy, Esq;

Sir Thomas Slingsby, Kt.

City of York.

Sir Metcalf Robinson, Kt.

Sir Thomas Osborn, Bar.

Town of Kingston upon Hull.

Anthony Gilby, Esq;

Andrew Marvel, Gent.

Borough of Knaresborough.

Sir John Talbot, Knight.

William Stockdale, Esq;

Borough of Scarborough.

Sir Phillip Munckton, Kt.

William Thompson, Esq;

Borough of Rippon,

Sir Jo. Nicholas, Kt. of the Bath.

Tho-

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Thomas Burwell, Dr. of Laws.

Borough of Richmond.

Sir William Killebrew, Kt.

Marmaduke Darcy, Esq;

Borough of Heydon.

Henry Guy, Esq;

Sir Hugh Bethel, Kt.

Borough of Burrowbridge.

Sir Rich. Malevere, Kt. and Bar.

Robert Long, Esq;

Borough of Malton.

William Palmes, Esquire.

Sir Thomas Gowse, Kt.

Borough of Thirsk.

Sir Thomas Ingram, Kt.

Will. Franklin, Esquire.

Borough of Aldborough.

Sir Solomon Swale, Bar.

Sir Francis Goodrick, Kt.

Borough of Beverley.

Michael Wharton, Esquire.

Sir John Hotham, Bar.

Borough of North-Allerton.

Sir Gilbert Gerrard, Kt. and Bar.

Roger Talbot, Esquire.

Borough of Ponfract.

Sir John Dawney, Kt.

Sir William Lowther, Kt.

Barons of the Cinque-Ports.

Port of Hastings.

Edward Waller Esquire.

Sir Denny Ashburnham Bar.

Town of Winchelsea.

Francis Finch, Esquire.

Robert Austin, Gent.

Town of Rye.

Sir John Robinson, Kt. and Bar.

Sir John Austin, Bar.

Port of New Romney.

Sir Charles Sidley, Bar.

Sir Norton Knatchbull, Bar.

Port of Hyth.

John Harvey, Esq;

Sir Henry Wood, Kt. and Bar.

Port of Dover.

George Montague, Esq;

Edward Lord Hinchinbroke.

Port of Sandwich.

Jo. Strode, Esquire,

James Thurbarne, Esquire.

Port of Seaford.

Sir William Thomas, Kt. and Bar.

Nicholas Pelham, Esquire.

WALES.

W A L E S.

Anglesey.

Nicholas Bagnall, Esquire:

Town of Bawnorris.

John Robinson, Esq:

Brecon.

Edward Progers, Esquire:

Town of Brecon.

Sir Herbert Price, Bar.

Cardigan.

Edward Vaughan, Esquire:

Town of Cardigan.

Sir Charles Cotterel, Kt.

Carmarthen.

Sir Henry Vaughan, Kt.

*Town of Carmarthen.*John Lord Vaughan, Knight of the
Bath.

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The present State

Carnarvon.

Sir Richard Wynne, Bar.

Town of Carnarvon.

William Griffith, Esq;

Denbigh.

John Wynne, Esquire.

Town of Denbigh.

Sir John Salisbury, Bar.

Flint.

Sir Thomas Hanmer, Bar.

Town of Flint.

Roger Whitely, Esquire.

Glamorgan.

Sir Edward Mansel, Bar.

Town of Cardiffe.

Robert Thomas, Esquire.

Merioneth.

Henry Wynne, Esq;

Pemb.

Pembroke.

Arthur Owen, Esquire.

Town of Haverdord-West.

Sir Frederick Hyde, Kt.

Town of Pembroke.

Rowland Lagherne, Esquire.

Montgomery.

Andrew Newport, Esquire.

Town of Montgomery.

Henry Herbert, Esq.

Radnor.

Sir Richard Lloyd, Kt.

Town of Radnor.

Sir Edward Harley, Kt. of the Bath.

Note, that some Knights and Burgesses being lately deceased, others are not yet elected in their Room.

of

Of the Executive Power in Temporal matters.

A Brief account of the Legislative power in Temporal affairs, having been given, next may be considered the Executive power in those affairs, and that is generally in the King, he is the Fountain of Justice; he is the Lord Chief Justice of *England*; and therefore as all the Laws of *England* are called the Kings Laws, because he is *Caput, Principium, & Fons Parliamenti*, by which the Laws are made, and that nothing can have the Force of a Law, but what he wills; so all the Courts of Judicature are called the Kings Courts, and all the Judges of those Courts are called the Kings Judges.

The highest Court of Judicature in *England* is the House of Lords in Parliament; so that the Parliament is not only *Goncilium*, but *Curia*, a Court of Judicature, consisting as afore-mentioned, of all the Lords Spiritual and Temporal, as Judges; and these assisted with the most grave and eminent Lawyers of *England*, both in Common and Civil Law.

To the Judicature of this Supreme and most Honourable Court, all other Courts and Persons that are Subjects of *England*, are Subject and accountable for all Crimes
not

not properly tryable, remedial, or punishable in other inferiour Courts of Justice; and to this Court all last Appeals are to be made, and from whose Sentence there lies no Appeal, but to a succeeding Parliament; and this supreme Judicatory or Judicial Power lyes only in the King and House of Lords; and at the Bar of this High Court may the House of Commons, as the Grand Inquest of the Nation, impeach the highest Subject of *England*, whether of the Clergy, or of the Laity, and prosecute them till it come to a Sentence, after which there can be no farther proceeding, till the King informed of the whole matter, gives his Royal Assent for the Execution of the said Sentence, or grant his gracious Pardon.

In the late Long Parliament, the House of Commons pretended to be also a Court of Judicature, and at length usurped a most exorbitant power to the total ruine of Monarchical Government, and it is worth observing, by what Gradations they arrived thereto. In the time of *Queen Elizabeth*, and not before, the Commons began to take upon them (as saith *Mr. Pryn*, a Learned Member of that House) to seclude one another for undue Elections; whereas formerly the King and Lords were accounted the sole Judges of all Members of the Commons House, and to have the sole power to judge of their undue Elections, Returns, Misdemeanors, Breaches of Priviledges, and of all other
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matters concerning their Membership; al-
so for freeing any Member from Arrest or
Imprisonments, did wholly and solely be-
long to the Lords, and not to the Com-
mons, unless it were by special order Re-
ferred by the Lords to the House of Com-
mons, as heretofore sometimes hath been
done.

In the time of King *Charles* the Martyr the
Commons went farther, took upon them ut-
terly to expel out of their House some of
their fellow Members, as Projectors and
Monopolizers, although they had been
duly elected: After this in the same Kings
time, they expelled all such as adhered an
Loyalty to the King; next they secluded
and imprisoned all such as the Officers of
the late rebellious Army impeached, or
disliked; then by the help of that Army,
50 or 60 of the Members of that House
expelled all the rest of their fellows, and
soon after, voted down the King and whole
House of Lords, and voted themselves to
be the Parliament; to be the sole Legisla-
tors and the Supreme Authority of *Eng-
land*; into such a prodigious height of
folly and impiety do men run, when they
once allow themselves to pass their due li-
mits.

Of the Court of Justice called the Kings-Bench.

FOR the Execution of Laws, after the House of Lords in Parliament, the highest Court in *England* is the Kings Bench so called, because antiently the King sometimes there sat in person on a high Bench, and his Judges on a low Bench at his Feet, to whom the Judicature belongs in the absence of the King.

In this Court are handled the Pleas of the Crown, all things that concern loss of life, or member of any Subject; for then the King is concerned, because the Life and Limbs of the Subject belong only to the King, so that the Pleas here are between the King and the Subject. Here are handled all Treasons, Felonies, Breach of Peace, Oppression, Misgovernment, &c. This Court moreover hath power to examine and correct all Errors in *facto* & *in jure* of all the Judges and Justices of *England* in their Judgements and proceedings and this not only in Pleas of the Crown, but in all Pleas Real, Personal and mixt, except only in the Exchequer.

In this High Court sit commonly Four Grave Reverend Judges, whereof the First is stiled the Lord Chief Justice of the Kings Bench, and is created not by Patent, but by

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by a short Writ, thus: *Johanni Keeling Militi salutem. Sciatis quod constituimus vos Justiciarium nostrum Capitem ad placita coram nobis tenendā, durante beneplacito nostro, Teste me ipso apud Westm.*

The rest of the Judges of the Kings Bench hold their places by Letters Patents in these words, *Rex omnibus ad quos presentes litera pervenerint salutem. Sciatis quod constituimus dilectum & fidelem Richardum Rainsford Militem, unum Justiciariorum ad placita coram nobis tenenda, durante beneplacito nostra. Teste, &c.*

These Judges and all the Officers belonging to this Court have all Salaries from the King, and the chief of them have Robes and Liveries out of the great Wardrobe.

In this Court all young Lawyers that have been called to the Bar are allowed to plead and practise.

This Court may grant Prohibitions to keep other Courts, both Ecclesiastical and Temporal within their Bounds and due Jurisdiction;

The Jurisdiction of this Court is general, and extendeth to all England, is more uncontrollable than any other Court; for the Law presumes that the King is alwayes there in person.

None may be Judge in this Court, unless he be a Sergeant of the Degree of the Coif, that is a Sergeant at Law, who upon taking this high Degree is obliged to wear a Lawn Coif under his Cap for ever after.

A List of the several Officers belonging to His Majesties Court of Kings-Bench.

Lord Chief Justice Sir John Keeling Knight.

Justices are Sir Thomas Twisden, Knight and Baronet, Sir Richard Rainsford Knight, Sir William Morton Knight.

Clerk of the Crown, Sir Thomas Fanshawe Knight, his Secondary Jasper Waterhouse, Esquire.

Protonotary, Sir Robert Henley Knight, his Secondary William Livesay, Esquire.

Marshal or Keeper of the Kings Bench Prison, Stephen Mosedell Esquire.

Custos Brevium, Justinian Paget Esquire.

Andrew Vivian, and Francis Woodward, Clerks of the Paper Office.

Sealer of the Writs, Edward Coleman.

Gilbert Barrel Clerk of the Rules.

Clerk of the Errors, Henry Field.

George Bradford Clerk for Filing Declarations, a Cryer, Porter, and some other inferiour Officers.

Then there are Filacers for the several Counties of England, whose Office is in this Court to make out all Proceſs upon original Writs, as well real as personal, and mixt. They were lately these that follow:

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Humphrey Ironmonger, Edward Parnel, James Buck, Samuel Astrey, Francis Greg, John Hynde, Thomas Stone, Thomas Leach, Gilbert Eveleigh, Henry Emin, Josbua Langrige, William Ogleshorp, John Phillips, William Osburn, Rob. Hyde, and Anthony Rouse.

The manner of Tryals in this and all other Common Law Courts in England, being different from that of all other Countries, and peculiar to England, shall be at large described apart in a Chapter with other peculiars.

Of the Court of Common Pleas.

THe next Court for execution of Laws is the Court of Common-Pleas, so called, because there are debated the usual Pleas between Subject and Subject. Some say this Court as well as other Courts, was at first held in the Kings House wheresoever he resided; but by the Statute of *Wagna Charta* it was orained, that this Court should not be ambulatory, but be held at a certain place, and that hath ever since been in *Westminster-Hall*.

None but Sergeants at Law may plead in this Court, and so many of them as the King shall appoint, are bound by oath to assist all that have any Cause depending in that Court.

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This Court may grant prohibitions; as the Court of the Kings Bench doth.

The chief Judge in this Court is called the Lord Chief Justice of the Common-Pleas, or of the Common Bench; holdeth his place by Letters Patenr *durante bene placito*, and so do the other inferior Judges of this Court whereof there are commonly three.

In this Court all Civil Causes Real and Personal are usually tryed according to the strict Rule of the Law.

Real Actions are pleadable in no other Court, nor Fines levied, or Recoveries suffered but only in this Court at *Westminster*.

The King allows to the Lord Chief Justice of this Court a Fee, Reward, Robes, and two Tun of Wine, as is done to the Lord Chief Justice of the other Bench; also to the other Judges of this Court, and to four Sergeants, is allowed Fees, Reward, and Robes to each one.

In the 11th and 12th of *Edward 3.* there were eight Judges belonging to the Common-Pleas, at other times seven, six, and five, and so in the time of *Henry 6.* and *Edward 4.* but since usually but Four, as at this day.

Before the Reign of *Queen Mary*, these, and the rest of the twelve Judges rode upon Mules, and not upon Horses, as they now do, in great State at the beginning of the Term.

A List of the several Officers belonging to His Majesties Court of Common-Pleas.

Lord Chief Justice Sir John Vaughan, Kt. Sir Thomas Tyrrel, Kt. Sir John Archer, Kt. Sir William Wylde, Kt. and Barthese are the present Judges of that Tribunal.

Then there is an Officer called *Custos Brevium*, the first Clerk of the Court, whose Office is to receive and keep all Writs returnable in that Court, to receive of the Protonotaries, all the Records of *Nisi Prius* called *Postea's*. He holdeth his Place by Patent from the King, and hath the Gift of the second Protonotary's Place, and of the Clerk of the Juries. Sir Joseph Ash hath this Office, and doth execute it by his Deputy Thursby Esquire.

There are three Potonotaries, a word compounded of Greek and Latin (which with the Antients was usual) and signifies the first Notaries: they are chief Clerks of this Court, and by their Office are to enter and inroll all Declarations; Pleadings, which the Filazers did formerly promiscuously do, Assises, Judgments, and Actions, to make our Judicial Writs, &c. These considerable Offices are in the hands of Thomas Robinson, Alan Lockhart, and Humphrey Wirley Esquires. The Chirographer (also from two Greek words signifying to acknowledge a Debt by setting
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ones hand) is an Officer who ingrosseth Fines acknowledged, &c. He holdeth his Place also by Patent, and is at present Mr. Sparks in trust for Sir William Drake, who doth execute it by a Deputy Mr. Wayt.

All these Officers aforementioned sit in the Court covered with black round knie Caps, according to the mode immediately before the invention of Hats, which was since the beginning of the Reign of Queen Elizabeth. Moreover they are all sworn, and have their Offices for life as a Freehold.

There are in this Court 3 Officers unsworn, and hold their Places *durante bene placito*; One Clerk of the Treasury, Mr. George Ingram, who hath the charge of keeping the Records of this Court, and makes out all Records of *Nisi Prius*, and divers other things. This Office is in the Gift of the Lord Chief Justice. 2. Clerk of the Inrolments of Fines and Recoveries, who is by Statute under the three puisne Judges of this Court, and removeable at their pleasure. Note that the Inrolment of Fines and Recoveries, or any part thereof by Stat. 23. Eliz. cap. 3. is of as good force and validity in Law to all intents and purposes, for so much of any of them so inrolled, as the same being extant and remaining, were or ought by Law to be: The general neglect whereof in this Kingdom hath occasioned many Law Suits, and hath proved in process of time exceeding dangerous to many mens Estates. 3. The Clerk

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Clerk of the Outlawries, Mr. *Anuel*, who makes out the Writs of *Capias Utlagatum*, after the Outlawry in the name of the Kings Attorney, whose Deputy he is *pro tempore*.

There are five Clerks more, 1. Clerk of the Kings Silver, *Henry Nurse*, Esquire, unto whom every Fine or Final Agreement in sale of Lands is brought, after it hath been with the *Custos Brevium*, and to whom Money is paid for the Kings use. 2. Clerk of the Warrants, Mr. *Thomas Brown*, executed by a Deputy Mr. *James Mayo*, who entreth all Warrants of Attorney for Plaintiff and Defendant. 3. Clerk of the Juries, Mr. *John Green*, who makes out the Writs called *Habeas Corpora* and *Distingas* for appearance of the Jury either in this Court, or at the Assises in the Country. 4. Clerk of the Essoins or Excuses for lawful cause of absence Mr. *Townley*. 5 Clerk of the *Superseas*, Mr. *Abbot*, which is held by Patent, but before King *James* time made by the Exchequer.

In this Court are also Filazers for the several Counties of *England*, so called from the French *Fil*, a Thred, because they file their Writs. These make out all Process upon Original Writs, and do many other things too long to be here set down, of these there are 14. viz. *Fabian Philips* Esquire, who hath *London*, *Middlesex*, *Huntington*, and *Cambridge Shires*. The rest of the Counties are divided amongst these

these that follow, Sir Roger Hill, Henry Dutton, Spicer, Grey, Fr. Hill, Robert Child, Charles Clare, Sir Thomas Stringer, Thomas Child, Bennett, Mark Hildesley, Herbert, Matthews, and Hughes, who is Protonotary Filazer, and Exigenter of Monmouth by Patent, the rest in the Gift of the Lord Chief Justice, and hold for life.

There are also four Exigents, whose Office it is to make all Exigents and Proclamations in all Actions where Process of Outlawry doth lye. This Writ is called an Exigent, because it exacteth the Party, that is, requireth his appearance to answer the Law, and lies against a Transgressor of the Law that cannot be found, nor any of his Goods within the County; so that after summons by the Sheriff at five severall County Courts, if he appear not, he is outlawed. The four Exigents at present are, William Perry, John Dawling, Charles Clare, and Silvester Perry all in the Gift of the Lord Chief Justice, and are for life.

There are also beloging to this Court four Cryers and a Porter.

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Of the Court called the Exchequer.

THe next Court for Execution of Laws is that called the *Exchequer*, so called as some think, from a Chequer-wrought Carpet, covering the great Table in that Court, as the Court of Green Cloth in the Kings house is so called from the Green Carpet, or else from the French word *Eschequier* a Chess board, because the Accomprants in that Office were wont to use such Boards in their Calculation. Here are tryed all causes which belong to the Kings Treasury or Revenue, as touching Accounts, Disbursements, Customs, and all Fines imposed upon any man. In this Court may sit the Lord Treasurer, the Chancellor of the Exchequer, the Lord Chief Baron, and four other Learned Judges called Barons of the Exchequer and one other Curfitor Baron, but the two first seldom sit, and the five last Seldom fail. The first of these five is the Principal Judge of this Court, and answers the Bar or the Baristers, who direct their Speech to him, takes Recognizances for the Kings Depts, &c. It is an Office of High Honour and Profit, he is styled Lord Chief Baron, is Created by Letters Patents to hold this Dignity, *Quam dieu bene*

bene se gesserit, wherein he hath a more fixed Estate then the Chief Justices of either Bench, for the Law intends this an Estate for Life; in the absence of the Lord Chief Baron, the other three Barons supply his place, according to their Seniority, but the fifth is said to be a Cursitor of the Court, and administers the Oaths to the Sheriffs, Under-Sheriffs, Bayliffs, Searchers, Surveyors, &c. of the Custom-House.

In the Exchequer are held two Courts, one of Law, another of Equity.

All Judicial Proceedings according to Law are *coram Baronibus*; but the Court of Equity held in the Exchequer Chamber is *coram Thesaurario, Cancellario, & Baronibus*. This Court had its beginning *primo Ph & Mar*.

The Authority of this Court is of original Jurisdiction without any Commission.

Note also, that all the other forementioned Courts were not Instituted by any Statute or written Law, but have their Original from the antient Custom of the Kingdom.

For a long time after the Conquest, there sat in the Exchequer, both Spiritual and Temporal Barons of the Realm, and in later times there sate in their places others that were not Peers of the Realm, yet stiled Barons *quia ibi sedere solebant Barones*.

All the twelve Judges belonging to these
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High Tribunals sit in Robes and Square Caps, like Doctors of Divinity, because (as some say) they were antiently most commonly Clergy-men and Doctors, Bishops, or Prelates.

A List of the several Officers belonging to His Majesties Court of Exchequer.

In the Upper Exchequer

THe Kings Remembrancer Thomas Lord Vicount Fanshaw, in whose Office are 8 sworn Clerks, whereof John Payn and Thomas Hall Esquires, at present are the two Secondaries; the rest are Ansel Beaumont, Hugh Franckland, Butler Buggin, George Wats, Nicholas Sanders, &c.

In this Office pass all the Accounts concerning the Kings Revenue, for Customs, Excise, Hearth-money, Subsidies, and all Ayds granted to the King in Parliament, and all other Accounts of what nature soever concerning the Kings Revenue either certain or casual. All Securities either by Bond or Recognizances to the Kings Majesty for any of his Debts are taken here. All Proceedings upon any Statute by Information for Custom Excises or any other penal Law. All proceedings

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dings upon the said Bonds or Recognizances, or any other Bonds taken in the Kings name, by Officers appointed thereunto under the Great Seal of England, and transmitted into this Office for recovery thereof. From hence issue forth Proceſs to cauſe all Accountants to come in and account. In the Court of Exchequer there being a Court of Equity, all proceedings touching the ſame are in this Office, with many other things concerning the Kings Revenue. This Office is in the Kings Gift.

Next is the Lord Treasurers Remembrancer, *John Osburn* Eſquire, whoſe Office is to make Proceſs againſt all Sheriffs, Receivers, Bailiffs, &c for their Accounts, and many other things of moment, as Eſtreat-Rules, all Charters and Letters Patents, whereupon any Rents are reſerved to the King. In this Office there were heretofore twelve ſworn Clerks, whereof the two firſt were called Secondaries; but ſince the Tenures were taken away, the ſaid Office is declined, and the number of Clerks diminished. This Office alſo is in the Kings Gift.

Clerk of the Pipe is *Sir Robert Crook* Knight, who hath all the Accounts and Debts due to the King, drawn down out of the Remembrancers Office, and chargeth them down in the Great Roll or Pipe, and therefore probably was it called the Pipe Office. He hath under him eight ſworn Clerks, *William Burnet* Eſquire, chief Secondary, *Nicholas Highmore*, *Wil. Satterthwayte*,

The present State

terthwayt, *Burnet Junior*, *Caryl*, &c. Here also Accountants have their *Quietus est*, and here are made Leases of extended Lands.

Comptroller of the Pipe, *Brewster Esquire*, who writeth out Summons twice every year to the High Sheriffs, to levy the Farms and Debts of the Pipe, he also keepeth a controlement of the Pipe, that is, keepeth a Roll of the Pipe Office Accounts, whereby to discover any thing that shall be amiss.

Clerk of the Pleas is *Richard Beresford Esquire*, in whose Office all the Officers of the *Exchequer* and other Priviledged persons, as Debtors to the King, &c. are to have their Priviledge to plead and be impleaded, as to all matters at the Common Law. And the proceedings are accordingly by Declarations, Pleas and Tryals as at the Common Law, because they should not be drawn out of their own Court, where their attendance is required.

Forrein Opposer is *Charles Whittaker*, Esquire, whose Office is, whereunto all Sheriffs repair, to be by him opposed of their *Green Wax*, and from thence is drawn down a Charge upon the Sheriff, to the Clerk of the Pipe, this Office is kept in *Greys-Inn*.

Clerk of the *Estreats*, *Williams*, Esquire, whose Office is to receive every Term, the *Estreats* or Extracts out of the Office of the *Remembrancer* of the Lord Treasu-

Treasurer; and to write them out, to be levied for the King also, to make Schedules for such Summs, as are to be discharged.

Auditors of the Imprest, Bartholemew Beale, and Robert Wylde Esquires who audit the great accounts of the Kings Customs, Wardrobe, Mint, First Fruits, and Tenths, Naval and Military expences, Moneys imprested, &c.

Auditors of the Revenue there are seven, Sir Edmond Sawyer; Kt. John Phillips Esq; Sir Joseph Seymour, Kt. Aldworth Parsons, Morice, Esquires, and Sir William Godolphin, Kt. These audit all the accounts of the Kings other Revenue, that ariseth by Aydes granted in Parliament.

Remembrancer of First Fruits and Tenths, James Roger Esq; whose Deputies George Farrington and William Prettyman, take all Compositions for First Fruits and Tenths, and make process against such as pay not the same, this Office is kept in Hatton Garden.

There are also two other considerable Officers, called Deputy Chamberlains, Mr. Vines and Mr. Lawrence, in whose Office at Westminster are preserved all the Counterfoyles of the Talleys, (whereof more anon) so exactly ranged by Months and years, that they may presently be found out, to be joyned with their respective Stock or Tally when thereunto required, which being done and proving true, they deliver the same, attested for a law-

ful Tally; to the Clerk of the Pipe, for to be allowed in the Great Roll, but in case any corruption hath been used, the same is easily and soon discovered, and the Offender severely punished by Fine and imprisonment.

There are also divers other Officers, as Clerk of the Parcels; Clerk of the Nichils; Marshals, Usher of the Exchequer, whose Office is executed by a Deputy, also 4 under Ushers.

Of the other part of the Exchequer, called by some the Lower Exchequer, where the Kings Revenue is received and disbursed, with admirable Order and Frugality.

THe Principal Officer is the Lord Treasurer, of whom see the first Part of the Present State of England.

Since the Death of the Earl of Southampton, 1667. This Great Office hath been in the hands of five Commissioners.

Now there are but three Commissioners, the Lord Ashley, Sir Thomas Clifford, and Sir John Duncomb, who execute the same at Whitehall. They have each one a considerable

siderable Salary from the King. There is one Secretary, Sir *George Downing*, Knight and Baronet.

Next is the Chancellour of the *Exchequer*, who is also an Officer of great Account and Authority, he hath a principal power, not onely in the *Exchequer Court*, but also here in the managing and disposing of the Kings Revenue: he hath also the Custody of the *Exchequer Seal*. This Office is injoyed by the forementioned Lord *Ashley*.

Then there are two Chamberlaines of the *Exchequer*, Sir *Nicholas Steward*, and Mr. *Hyldiard*, in whose Custody are all Antient Records, Leagues and Treaties with Forreign Princes, the Standards of Moneys, Weights and Measures, those antient famous Books, called *Doomes-Day*, and the *Black-Book* of the *Exchequer*, whereof the former is *Liber Censualis totius Angliae*, the *Tax-Book* of *England*, made by *William* the Conqueror, wherein is described all the Lands of *England*, with the true value, and their owners name, it was six years in making, viz. from the 14th to the 20th year of that King, and called at first *Rotulus Wintonia*, but since named *Doomes-day-Book*, because therein was set down an exact Account, not onely of all the Cities, Towns, and Villages of *England*, but the number of Families of Men, Souldiers, Husbandmen, Bondmen, Servants, Cattle; how much Money, what Rent, how much Meadow, Pasture,

Woods, Tillage, Common, Marsh, Heath; every one possessed: and when any one cited, or any difference arose about those things or Taxes, &c. There was no place for denying or deceiving the King (whereof many men ever made little Conscience, though all good Christians ever counted it a grievous and hainous sin) when this *Book* was opened, like as it will be at the opening of the *Book* at the great day of doom, or general Judgement of the World. This *Book* is kept under three Locks and Keys, not to be lookt into under 6s. 8d. and for every Line transcribed is to be paid 4 d.

Next is the *Auditor* of the Receipts, Sir *Robert Long*, whose Office is to file the Bills of the Tellers, whereby they charge themselves with all Moneys received, and to draw all Orders to be signed by the Commissioners of the Treasury, for issuing forth all Moneys by vertue of Privy Seals, which are recorded and lodged in his Office. He also makes debentures to the several Persons, who have Fees, Annuities, or Pensions by Letters Patents from the King out of the Exchequer, and directs them for payment to the Tellers. He receives every week the state of the account of each Teller, and also weekly certifies the whole to the Commissioners of the Treasury, who immediately present the estimate or Ballance to the King. He takes the Tellers Accounts in gross at *Easter* and *Michaelmas*. By him are kept the several

veral Registers appointed for paying all persons in course upon several Branches of the Kings Revenue. He is *Scriptor Talliorum* hath five Clerks to manage the whole estate of Moneys received, disbursed, and remaining.

Next there are four Tellers, *Laurence Squib*, *John Loving* Esquires, *Sir George Downing* aforementioned, and *Sir William Doily* Kt. Their Office is to receive all moneys due to the King; and thereupon to throw down a Bill through a Pipe into the Tally Court, where it is received by the Auditors Clerk, who there attends to write the words of the said Bill upon a Tally, and then deliver the same to be entered by the Clerk of the Pells, or his under Clerk, who there attends to enter it in his *Book*; then the Tally is cloven by the two Deputy Chamberlains, who have their Seals, and while the Senior Deputy reads one part, the Junior examines the other part with the other two Clerks.

Clerk of the Pells is *William Wardour* Esquire, whose Office is to enter every Tellers Bill into a Parchment skin, (in Latin *Pellis*, whence this Office hath its name,) all receipts and payments for the King, for what cause, or by whomsoever, and is in nature of a Comtroller, hath four Clerks, whereof one is for the *Introitus*, and another for the *Exitus*. Moreover he is to make weekly, and half yearly Books, both of the Receipts and Payments, which are delivered to the Commissioners of the Treasury.

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In the Tally Court sit the Deputies of the two Chamberlains *Edward Faulconbridge* and *John Low* Esquires, who cleave the Tallies, and examine each piece apart.

A Tally in the Exchequer from the French Verb *Tailler*, to cut, is a very ancient and most certain way of avoiding all cozenage in the Kings Revenue; the like nowhere else in Christendom, and is after this manner.

He that pays the King any Moneys, receives for his Acquittance a Tally, that is, the one half of a stick cloven with certain proportionable Notches thereon, expressive of the sum from the said Deputy Chamberlains, who keep the other cloven part of the stick called the Foyl, and deliver it to the Tally-Joyners on the other side of the Exchequer, who are also Deputies to the Chamberlains, and they joyn it with the Foyl, which agreeing, they give it their Test, and send it by an Officer of their own to the Pipe where their *Quietus est* is engrossed in Parchment.

Other Officers in the Exchequer are the two Ushers, *Robert* and *Philip Pack-er* Esquires, whose Office is to take care to secure the Exchequer by day and by night, and all the Avenues leading to the same, and to furnish all necessaries, as Books, Paper, &c.

There

There is also a Tally Cutter, and four Messengers.

By long continuance, and the wisest contrivances that the ablest men of many ages could invent, the Exchequer of the King of England is become the best ordered publick Revenue in the world.

Though the number of Officers in the Exchequer is far greater than in any other of the Kings Courts, yet not near so great as the Financiers and other Officers belonging to the Revenues of the French King, who are so many, that their Fees eat up three parts in four of the whole Revenue: whereas for rewarding all the Officers in the English Exchequer, whereof most are ever persons of Estates, Parts, and great Integrity, it costs the King a very inconsiderable sum of money, as will easily appear to any one who shall consider that in case of a gift from the King of Moneys or Pension out of his Exchequer, he that receives it pays but 5*l.* *per cent.* amongst the Tellers, Auditors, Clerk of the Pells, and their Clerks, and to all other Officers whatsoever; and which is remarkable, there goes not amongst the said Officers and Clerks so much as 5*s.* *per cent.* out of publick Payments, as for the Navy, Ordnance, Wardrobe, Mint, to the Cofferer, Treasurer of the Chamber, &c.

In case of Moneys paid in by any of the Kings Tenants, Receivers, it costs them sometimes but six pence, and at most but 3*s.* for every payment under a thousand pounds.

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pounds; and that goes onely to the Clerks for their pains in writing and attending.

The bringing in of all Moneys to the King costs his Majesty amongst Receivers, Collectors, and all others in the Country not above 2 s. in the pound; and at his Exchequer it costs him in a manner nothing at all; for the Tellers, who are bound to the King in 20000 l. security, for the true discharge of their great trusts, have under 33 l. per an. for their Salary from the King, and the two Clerks of each Teller, who constantly attend their Offices, have nothing at all from the King.

The Court of the Dutchy of Lancaster.

There is another Court at *Westminster*, called the Court of the Dutchy of *Lancaster*, which takes Cognizance of all Causes that any way concern the Revenue belonging to that Dutchy, which hath been long since annext to the Crown.

The chief Judge of this Court is the Chancellor of the Dutchy, who is assisted by the Attorney of the Dutchy. There are divers other Officers of this Court, a List of whose Names here follow.

Sir Thomas Ingram, Chancellor, and one of His Majesties most honourable Privy Council. Sir John Heath, Attorney
Gene-

General. Sir *John Curzon*, Receiver General. Sir *Thomas Trevor*, Knight of the Bath, and *John Fanshaw* Esq; Auditors. Sir *Gilbert Gerard*, Clerk of the Dutchy, *Thomas Desborough*, Messenger: This Court is kept at *Westminster* by the *Lower Exchequer*, and the Office of Sir *Gilbert Gerard* at *Grays Inn*.

Of the High Court of Chancery.

NExt to the *Kings Bench* in *Westminster Hall*, is wisely placed this High Court, to mitigate the Rigor of that; it is called *Curia Cancellaria*, as some judge, because at some think, the Judge of this Court sate antiently *Inter Cancellos* or *Lattices*, as the East end of our Churches being separated *per Cancellos* from the Body of the Church, as peculiarly belonging to the Priest, were thence called *Chancels*.

This Court is the *Officina Justiciae*, the Womb of all our Fundamental Laws, the Fountain of all our proceedings in Law, the Original of all other Courts. It is as antient as the Civility of the Nation, though perhaps by another name.

This Court proceeds either ordinarily, according to the Laws, Statutes, and Customs

Customs of the Nation, and in Latin, granting out Writs, Mandatory, and Remedial; Writs of Grace, or else according to Equity and Conscience, and by English Bill; So that the *Chancery* hath two Courts in one: The equitable part, is by Bills, Answers, and Decrees to examine Frauds, Combinations, Trusts, Secret uses, &c. to moderate the Rigor of the Laws, and rescue men out of the hands of their Oppressors. To relieve a man, especially in three things, *viz.* Against Cheats, unfortunate Accidents and Breaches of Trust.

Out of this Court issue out Writs or Summons for Parliaments, Edicts, Proclamations, Charters, Protections, safe Conducts, Writs of *Moderata Misericordia*, when any person hath been amerced too high, and for a reasonable part of Goods for Widows and Orphans, Patents for Sheriffs, Writs of *Certiorari* to remove Records, and False Judgments in Inferior Courts, Writs of *Audita Querela*, and *Scire Facias*, here are Sealed and Inrolled; Letters Patent, Treaties, and Leagues with Foreign Princes, Deeds betwixt Party and Party touching their Lands, and Estates or Purchasers taking recognizances and Making of Extents upon Statutes and Recognizances for payment of Moneys, or securing of Contracts. Writs Remedial or Magisterial, Commissions of Appeal, Oyer, and Terminer, &c. The Court of *Common Pleas*, which are betwixt Subject and Subject, hath its Original, and Commissions from

from the *Chancery*, and cannot hold Pleas without it.

For the Latin part of this Court, are the Twenty four Cursitors; and for the English part, are the Six Clerks.

The Court of *Equity* that proceeds not according to Law, is no Court of Record, and therefore binds onely the person, not his Lands or Goods.

The Judge of this Court is the *Lord Chancellor*, or *Lord Keeper* of the Great Seal of England. He is here the sole Judge, whereas in other Courts there are Three or four Judges, but he may and doth often in cases of greater weight and difficulty, in cases of Law, call some of the other Judges to his assistance, and therefore it is said, this Office may be discharged by one that is no professed Lawyer, as it was almost always antiently; and so of latter times by Sir *Christopher Hatton*, and after by Doctor *Williams* Bishop of *Lincoln*, to their great praise and commendation.

It is the highest Dignity in England that a Lay-man is capable of, it is *Summum ambientis animi quasi Solstitium*, and the Chancellor is *Magistratum omnium Antistes*.

Antiently the Lord Chancellor had sometimes his Vice-Chancellor, commonly called *Keeper of the Great Seal*, but of latter times they differ onely in name.

In France, he that is made Chancellor is *Durante Vita*, his place cannot be taken away,

away, although the Seals may. It is said there, that he is so to attend to the sole Interest of the King and People, that he must not be sensible of any Relations or other consideration; and therefore he may not put himself in mourning, neither for his own Father, nor for the King Himself.

Chancellors have been in *England*, as the Learned *Dugdale* findes, as soon as Christianity was embraced by the *Saxons*.

The Chancellor is said to be Keeper of the Kings Conscience, to judge *Secundum æquum & bonum*, according to Equity and Conscience; he is to moderate the *τὸ ἀπὸ - νομίστα*, the exact Rigor and Letter of the Law, whereunto other Judges are strictly tied: For the Princes of this Realm, in imitation of the King of Kings, governing the World by *Justice* and *Mercy*, have erected two supream Tribunals together, at the upper end of *Westminster-Hall*; one of *Justice*, wherein nothing but the strict Letter of the Law is observed; and the other of *Mercy*, wherein the Rigor of the Law is tempered with the sweetness of Equity, which is nothing else but *Mercy* qualifying the sharpness of *Justice*.

This Court being a Court of Conscience, the less it is perplexed with the quirks of Lawyers, the more it is guided by Conscience and Equity; and therefore the Kings of *England* would have this Court Superior to the other Tribunals, that so if any thing was done amiss by those following

ing the Rigor of the Law, here good by Conscience and Equity, it might be amended ; wherein they followed the noble Pattern of the *Great Constantine*, *Qui omnes suas leges imperfectas esse voluit ut inde subditi sui appellarent ad Episcopos* ; and therefore in all former times, the Judges of this Court were chosen out of the Clergy, able Divines, who by their skill in the Law of God, and of Nations, were best able to judge according to Moderation and Equity, and most willing to execute accordingly ; also fittest to dispose of the Kings Spiritual Benefices.

Besides, when this High Office was given to Bishops and Clergy-men, in whom wealth and a publick Spirit, being usually conjoynd, what great Publick Acts of Piety and Charity, were done by them for this Nation ? To mention onely in *Oxford*, What noble and rich Foundations are *Christ-church*, *Magdalens*, *New Colledge*, and *Merton Colledge* ? All founded by Bishops that were Chancellors ; and on the contrary, since the places of Chancellor, Treasurer, Privy Seal, &c. have been usually in the hands of Lay-men, what one great work hath been done for the Publick, but onely wealth heaped up for their own private Families.

The manner of Proceeding in this Court, is much like that in the Courts of the Civil Law, the Actions by Bill or Plaint, the Witnesses examined in private, the Decrees in English or Latin, not in French. No Jury
of

of Twelve Men, but all Sentences given by the Judge of the Court.

The Chancellor or Lord Keeper hath Twelve Assistants, antiently called *Clerici*, or *Magistri Cancellaria*, because they were usually in Holy Orders, and all Doctors of Laws, for Master and Doctor was antiently the same, as at this day, a Doctor in the Arts, is called *Magister in Artibus*.

The first of these is called *Master of the Rolls*, a place of great Dignity; and is in the gift of the King, either for life, or during His Majesties pleasure: And this Officer hath *Jure Officii*, the gift of those considerable Offices of the Six Clerks in *Chancery*, hath the keeping of the Rolls, hath the House of the *Converted Jews* now called the *Rolls*; and in the absence of the Chancellor hears Causes, and makes Orders by Vertue of a Commission, with two Masters, and not *Jure Officii*.

One reason why the *Masters of Chancery* were ever *Civilians*; may be, because for all Cases almost imaginable, some Law or Case conformable thereunto, may be fetched by a good *Civilian* out of that Law of Laws, called the *Civil Law*. Another may be, because the Chancery more antient then in any other Court of *England* (for all Original Writs and Commissions; whereupon the other Courts do ground all their proceedings do come from thence) hath probably been taken from the *Civil Law*, divers points of proceedings not used.

used in Common Law Courts, as the Defendants answering to the Bill, and sometimes to the Interrogatories upon Oath, though to the accusing of a mans self, in divers matters dammageable, and penal; also by the whole manner of publication, the depositions of Witnesses, by the examining of witnesses upon Interrogatories, and in *perpetuam rei memoriam*, by the term and use of final Decree, and many other points differing from the Common Law, and wholly agreeing with the Civil Law.

This Court is alwayes open, when all the others are shut, but onely in Term time; so that if a man be wrongfully imprisoned, in the Vacation time out of Term, the Lord Chancellour may grant his Writ of *Habeas Corpus*, and do him justice according to Law; So likewise may this Court grant Prohibitions in time of Vacation, as well as in Term time.

A

*A List of the several Officers
belonging to the High Court
of Chancery.*

SIR Orlando Bridgman Knight and Baronet, Lord Keeper of the Great Seal of England, Then the 12 Masters of the Chancery as followeth.

Sir Harbottle Grimston Baronet, Master of the Rolls.

Sir William Childe Knight, Doctor of Laws.

Sir Justinian Lewin Knight, Doctor of Laws.

Sir Thomas Escourt Knight.

Sir Mundeford Bramston Knight, Doctor of Laws.

Sir Nathaniel Hobart, Knight.

Sir William Glascock, Knight.

Sir John Coel, Knight.

Sir Robert Stewart, Knight.

Sir Timothy Baldwin, Knight, Doctor of Laws

Sir Andrew Harket, Knight.

Sir William Beversham.

The House founded at first for the Converted Jews, was, after their expulsion out of England, annexed for ever to the Office of Master of the Rolls, where he hath the custody of all Charters, Patents, Commissions, Deeds, Recognisances, which being

ing made up in Rolls of Parchments gave occasion of the Name.

At present there are kept all the Rolls since the beginning of *Henry the Seventh*, the rest are kept in the Tower of *London*.

In his gift are, besides the six Clerks Offices, the Offices of the Examiners, and three Clerks of the Petti-bag.

Next Clerk of the Crown, *Henry Barker*, Esquire; this Office is of high importance; he is either by himself or Deputy continually to attend the Keeper of the Great Seal for special matters of State, and hath a place in the Higher House of Parliament; he makes all Writs for summoning Parliaments, and upon a Warrant directed to him by the Speaker of the House of Commons upon the Death or removal of any Member, he makes a Writ for a new Election.

Protonatary of this Court is *Robert Pescod*, Esquire; this Office is chiefly to expedite Commissions for Embassies.

It is executed by a Deputy.

Clerk of the *Hamper* or *Hannaper*, sometime stiled Warden of the *Hannaper*. Whose Office is to receive all the Money due to the King for the Seals of Charters, Patents, Commissions and Writs, and to attend the Keeper of the Seal daily in Term-time, and at all times of Sealing, with leather baggs now (but antiently probably with Hampers) wherein are put all sealed Charters, Patents, &c. and then those Baggs delivered

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livered to the Comptroller of the *Hamper*. This Office is now enjoyed by *Henry Seymer Esquire*, and executed by a Deputy.

Warden of the *Fleet*, or Keeper of the *Fleet-Prison*, is an Office very considerable, and is to take care of the Prisoners there, who are commonly such as are sent thither from this Court, for contempt to the King or his Laws, or such as will not pay their Debts, &c. The present Warden is *Sir Jeremy Whitchcote*: It is executed by a Deputy.

Serjeant at Armes is *Humphrey Ley Esq;* whose Office is to bear a great gilt Mace before the Lord-Keeper, &c.

Six Clerks are Officers of great account next in degree to the twelve Masters in *Chancery*, whose Office is to inroll Commissions, Pardons, Patents, Warrants, &c. That are passed the Great Seal. They were antiently *Clerici*, and afterwards forfeited their places, if they did marry, till by Act of Parliament in the time of *Henry the Eighth*, they were allowed to take Wives.

They are also Attorneys for Plaintiffs and Defendants, in causes depending in this Court.

The present six Clerks *Sir John Marshall*, *Matthew Pindar Esq;* *Matthew Bluck Esq;* *Sir Cyril Wyche*, *John Wilkinson Esq;* and *Edward Abney Esq;* who sit altogether at their Office in *Chancery-Lane*.

Exami-

Examiners in *Chancery* there are two, Sir Robert Peyton, and Sir Nicholas Strode. Their Office is to examine the Witnesses in any suit on both sides on their Oaths.

This Office also is executed at the Rolls.

Clerks of the Petty Bag in *Chancery* are three, Edmund Warcup Esq; John Hobson Esq; and George Low Esq; they are under the Master of the Rolls. Their Office is to make all Patents for Customers, Control-lers, all *Conge d'eslives*, first Summons of Nobility, Clergy, Knights, Citizens, and Burgeses to Parliament, &c.

The *Subpena* Office is to issue out Writs to call a person into *Chancery*.

This Office is in the hands of Frances Lady Vane, Sir Walter Vane, and Charles Vane: and executed by a Deputy.

Clerk of the Patents or of Letters Patent under the Great Seal of England, is Sir Richard Pygot, and executed by a Deputy, erected 16 Jac.

The Register of the Court of Chancery, the Earl of St. Albans, under whom are three Deputy Registers for the Court, two Deputy Registers for the Rolls, two entering Clerks and a Keeper of the Books.

Cursiters office in the *Chancery*, is to make out Original Writs, they were anti-ently called *Clerici de Cursu*, of these there are twenty four, whereof each one hath cer-tain Counties and Cities allotted to them, into which they make out such Original Writs as are required. These Clerks are a
Cor-

Corporation within themselves; and are all persons of Quality, whose names follow.

The Names of the Cursiters now in being, are these that follow.

John Symonds, Principal.

William Barker } Assistants.
Benjamin Gladman }

Henry Edmonds, Ge. Norbury, Abr. Nelson, Rich. Plumpton, Roger Brown, John Norbury, Richard Cross, Edmund Eyre, Will. Adderley, Abr. Skinner, Jo. Sheldbury, Will. Plumpton, Thomas Fisher, Elias Gladman, Roger Twisden, Ben. Storke, John More, William Loe, H. Amhurst, Philip Barecroft, Rich. Parmee, Esquires; who execute these Offices by themselves, or by their Deputies, This Office is kept near *Lincolns-Inn*.

Clerk of the Presentations of Spiritual Benefices, *Edwes Esquire*.

Commissioners, Sir George Courthop, Sir Edm. Turner, Halsal, Esq;

Alienation Office, N. Crew, Esq;

Receiver Gen, Joh. Nichols.

All the forementioned Courts of Judicature at *Westminster*, are opened four times the year, called the four *Termes*, viz. *Easter Term*, which beginneth always

wayes the *seventeenth* day after Easter, and lasteth 27 dayes. *Trinity Term* begins the fifth day after *Trinity Sunday*, and lasteth 20 dayes. *Michaelmas Term* began heretofore a little after that Feast, but now by a late Statute, begins the 23d of *October*, and lasteth 37 dayes. Lastly, *Hilary Term* begins now 10 dayes after *St. Hilary Bishop*, or the 23 of *January*, and lasteth 21 dayes; so in all 105 dayes, from whence must be deducted about 20 Sundayes and Holy-dayes, which are as the *Dies Nefasti*, wherein the Courts sit not: so that in one fourth part of the year, and that in one City, all considerable causes of the greatest part of *England* are fully decided and determined, whereas in forreign parts the Courts of Justice are open all the year, except high Holy-dayes, and Harvest, and that in all great Cities. This may seem therefore strange to all Forreigners, till they know that the *English* have alwayes been given more to peaceableness and industry then other people, and that rather then go so far as *London*, and be at so great Charges with Attourneys and Lawyers, they will either refer their differences to the Arbitration of their Parish Priests, who do, or ought to think it a Principal part of their Duty to reconcile differences within their Parishes, or to the Arbitration of honest Neighbours, or else are content to submit their differences to tryal before the Judges of *Affises*, or the Itinerant Judges, who twice a year, viz. after the

H end

end of *Hilary Term*, and after the end of *Trinity Term*, two by two of these principal Judges ride several Circuits; and at the Principal Town of every County, sit to hear and determine all Causes of lesser moment, both Civil and Criminal, a most excellent wise Constitution begun by King Henry the Second, Anno 1176. who at first divided *England* into six Circuits (not the same that are now) and to each Circuit allotted three Judges. *Wales* also is divided into 2 Circuits, *North* and *South-Wales*, for which are designed in like manner two Sergeants at Law for each Circuit. These Judges give Judgement of the Pleas of the Crown and all Common Pleas within those Counties, dispatching ordinarily in two or three dayes all Controversies in a County that are grown to issue in the forementioned Courts at *London*, between Plaintiffs and Defendants, and that by their Peers: a Jury of 12 men, *ex vicinero*, out of the neighbourhood, where about the business lies. So that twice a year, in *England* and *Wales*, Justice may be said to be rightly and speedily administred even at our own doors.

Besides; the forementioned Courts at *Westminster*, Henry the Eighth erected for the more ease of the Subject, a Court in the *North* of *England*, another for the County of *Wales*, and Counties adjoyning; and intended another for *Cornwall* and *Devonshire*; and these in manner of those Courts

Courts called in *France* Parlements, where all cases might be decided both according to the *Laws of England*, and according to equity in *Chancery*: Of these Courts, that for *Cornwall* was never fully erected, those people desiring rather to come to *London* for Justice; that of the *North*, was by the late long Parliament taken away, and so was that of *Wales*; but this last since the Restoration of the King again erected. Of this Court or Council of the *Marshes of Wales* is a Lord President, at present the Lord *Vaughan*, Earl of *Carbury*, divers Councillors, Secretary, Attourney, Solicitor, Surveyor, who have Salaries from His Majesty.

HAVING given a brief Account of the Civil Government of all *England* in General; next shall be described the particular Government of Counties, Hundreds, Cities, Burroughs, and Villages.

For the Civil Government of all Counties, the King makes choice of some of the Nobility, Clergy, Gentry, and Lawyers, men of worth and parts, who have their usual residence in the County, so many as His Majesty pleaseth, to keep the Peace of the County, and these, by Commission under the great Seal, are called Justices of Peace, and such of them in whom the King doth more particularly confide, or respect.

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are called Justices of the *Quorum*, from those words in the Commission, *Quorum* A. B. *unum esse volumus*, that is, some business of more importance, may not be transacted without the presence or concurrence of one of them.

One of the principal Justices of Peace and *Quorum*, is by the Lord Keeper made *Custos Rotulorum*, so called, because he hath the Custody of the Rolls, or Records of the Sessions, and is to bring them to each Quarter-Sessions.

The Original of Justices of Peace is from the first year of *Edward* the Third.

Their Office is to call before them, examine and commit to Prison all Theeves, Murderers, wandring Rogues, those that hold Conspiracies, Conventicles, Riots, and almost all other Delinquences that may occasion the breach of Peace and quiet to the Kings Subjects; to commit all such to prison, as either cannot, or by Law are not, to be bailed (that is, cannot be set at liberty by Sureties, taken for their appearance at a place and time certain) and to see them brought forth in due time to Tryal.

Every Quarter or three moneths, the Justices meet at the chief or Shire Town, where the Grand Enquest or Jury of the County is summoned to appear, who upon Oath, are to inquire of all Traitors, Hereticks, Theeves, Murderers, Money-coiners, Riots, &c. Those that appear to be guilty, are by the said Justices committed

ted to prison, to be tryed at the next Assises, when the Judges of *Westminster* come their Circuits afore-mentioned.

For execution of Laws in every County except *Westmorland* and *Durham*; the King every *Michaelmas Term*, nominates for each County, a Sheriff, that is a *Reeve* of the Shire, *Præpositus* or *Præfectus Comitatus*, a Governor, or Guardian of the County, for the words of the Patent are, *Commisimus tibi Custodiam Comitatus nostri de N.*

The Sheriffs Office is to execute the Kings Mandates, and all Writs directed to him out of the Kings Courts, to empannel Jurys, to bring Causes and Criminals to Tryal, to see the sentences both in Civil and Criminal affairs executed; to wait on and guard the Itinerant Judges twice a year, so long as they continue within the County, which at the Assises is performed with great Pomp, Splendor, Feasting, &c. In order to the better execution of his Office, the Sheriff hath attendant his Under-Sheriff divers Clerks, Stewards of Courts, Bayliffs of Hundreds, Constables; Gaolers, Sergeants or Beedles, besides a gallant train of servants in rich Liveries, all on Horseback at the Reception of the Judges.

He was antiently chosen as Knights of the Shire, but to avoid Tumults it is now thus.

Every year about the beginning of November, the Judges Itinerant nominate six

fit men of each County, that is Knights, or Esquires of good Estates, out of these the Lords Keeper, Treasurer, Privy Counsellors, and 12 Judges assembled in the Exchequer Chamber and sworn, make choice of three, of which the King himself after chooseth one to be Sheriff, for that year only, though heretofore it was for many years, and sometimes Hereditary; as at this day to the *Cliffords*, who by descent from *Robert de Vipont* are Sheriffs hereditary of the County of *Westmorland* by Charter from King *John*.

Furthermore, the Sheriffs Office is to collect all publick profits, Customes, Taxes of the County, all Fines, Distresses and Amercements, and to bring them into the Kings Exchequer or Treasury at *London*, or elsewhere, as the King shall appoint.

The Sheriff of each County hath a double function, first Ministerial to execute all Processes and Precepts of the Courts of Law, and to make returns of the same. Secondly, Judicial, whereby he hath Authority to hold two several Courts of distinct nature, the one called the Sheriffs *Turn*, which he holdeth in several places of the County, enquiring of all *Criminal Offences* against the *Common-Law*, not prohibited by any Statute: The other called the *County Court*, wherein he hears and determines civil *Causes* of the County under 40 s. which anciently was a considerable sum; so that by the great fall of the moneys now, the Sheriffs authority in that part is much diminished.

He

He is said to be the life of Justice, of the Law, and of the County, for no suit begins, and no process is served but by him, then no Execution of the Law, but by him; lastly, he is the chief Conservator of the Peace in the whole County. Every County being subdivided into Hundreds, (so called at first, either for containing an hundred houses or 100 men bound to find Arms,) or Wapentakes, so called, from touching a Weapon, when they swore *Allegiance* (as the manner at this day is in Sweden, at their solemn Weddings, for the chief Witnesses to lay all their hands upon a Lance or Pike) every such Wapentake or Hundred hath commonly a Bayliff, a very ancient Officer, but now of small Authority: also Officers called *High Constables*, first ordained by the Statute of *Winchester* 13 *Edw. 1.* for conservation of Peace and view of Armour, they disperse Warrants and Orders of the Justices of Peace to each Petty Constable.

There are also in every County two Officers, called *Coroners*, whose Office is to enquire by a Jury of Neighbours how and by whom any person came by a violent death, and to enter the same upon Record, which is matter Criminal, and a plea of the Crown, and thence they are called *Crowners*, or *Coroners*.

These are chosen by the Free-holders of the County, by virtue of a Writ out of the Chancery. They were antiently men of Estates, Birth and Honour; and therefore

in the Reign of *Edward the Third*, a Merchant being chosen a Coroner was removed, *quia communis Mercator fuit*, whereas he ought to have been a Gentleman, which no Trades-man is reckoned to be by our Laws.

Every County also hath an Officer called Clerk of the *Mercat*, whose Office is to keep a *Standard* of all Weights, and Measures exactly, according with the *Kings Standard* kept in the Exchequer, and to see that none others be used in the same County, to Seal all Weights, and Measures made exactly by the Standard in his custody, and to burn such as are otherwise. He hath a Court, and may keep and hold Plea therein.

Of the Civil Government of Cities.

EVERY City of *England* by their Charters or Priviledges granted by several Kings, is a little Common-wealth apart, governed not as the Cities of *France*, by a Nobleman or Gentleman placed there by the King; but wholly by themselves, they choose amongst themselves their own Governor; in Cities a Mayor is chosen, commonly out of 12 Aldermen. In some other Corporations, a Bailiff is chosen out of a certain number of Burgeses.

They

They are not taxed, but by their own Officers of their own Corporation, every Trade having some of their own alwayes of the Council, to see that nothing be enacted contrary to their profit.

Every City by Charter from the King hath *haute moyenne & basse Justice*, a jurisdiction amongst themselves, to judge in all matters *criminal* and *civil*, onely with this restraint, that all *civil* causes may be removed from their Courts to the Higher Courts at *Westminster*.

The Mayor of the City is the Kings Lieutenant, and with the Aldermen, and Common-Council (as it were King, Lords and Commons in Parliament) can make Laws called *By-Laws*, for the Government of the City.

He is for his time (which is but for one year) as it were a Judge to determine matters, and to mitigate the Rigour of the Law.

The next in Government of Cities are two principal Officers, called, though improperly, the *Sheriffs*, who are Judges in *civil* causes within this City, and to see all execution done, whether *penal* or *capital*, and should rather be called *Stat-reeves*, or *Port-reeves* (i. e.) *Urbis vel Portus Praefecti*.

In *Cities* the people are generally made more industrious by Manufactures, and less idleness suffered then in other places, so that in some *Cities*, children of six or seven years old are made to gain their own expences. In the *City of Norwich*, it hath of

The present State

late years been computed and found, that yearly, children from six to ten years of age, have gained twelve thousand pounds more then what they spend, and that chiefly by knitting fine *Fersey* Stockings.

The Government of *Burroughs*, and other Towns corporate is much after the same manner. In some there is a Mayor, in others one or two Bailiffs, who have equal power with a Mayor and Sheriffs, and during their Offices, they are Justices of the Peace within their Liberties, and have there the same power that other Justices of the Peace have in the County.

For the better Government of Villages; the Lord of the place hath ordinarily power to hold a *Court-Baron*, so called, because antiently such Lords were called *Barons*, as they are still in many parts of *France*: or else *Court-Baron* (i. e.) *Court of Freeholders*, as the Barons of *Germany* are called *Freyherren*; so the Barons of the *Cinq; Ports* in *England* are but the Freeholders of the *Cinq; Ports*. And this *Court* may be held every three weeks.

Also, for the Government of Villages there is a *Pety Constable* chosen every year by every one that is Lord of the place: this Officer is to keep the Peace, in case of quarrels, to search any house for Robbers, Murderers, or others that have any way broken the Peace: to raise the *Hue and Cry* after Robbers fled away, to seize upon them, and keep them in the Stocks or other Prison till they can bring them before some Justice
of

of Peace, to whom the Constables are subservient upon all occasions, either to bring Criminals before them; or to carry them by their command to the common Prison.

Every little Village almost hath an Epitome of Monarchical Government, of Civil and Ecclesiastical policy within it self, which if duly maintained, would render the whole Kingdome happy.

First, for the Civil Government, there is the Lord of the Soil, who from the Crown immediately or mediately holds *Dominium soli*, and is said to have in him the Royalty, as if he were a little King, and hath a kind of Jurisdiction over the Inhabitants of the Village, hath his *Court-Leet*, or *Court-Baron*, to which they owe *suit* and *service*, and where may be tryed smaller matters happening within the Mannour, Escheates upon Felonies, or other accidents, Custody of Infants and Lunaticks, power of passing Estates, and admitting of Tenants, Reliefs, Hariots, Hunting, Hawking, Fishing, &c. under the Lord, is the Constable or Headborough, to keep the Peace, to secure Offenders, to bring them before the Justice, &c.

Then for the Ecclesiastical Government of Villages, there is (as before hath been mentioned) the Parson or Vicar, who hath *Curam Animarum*, the Care of Souls (as the Lord of the Mannor hath in some measure, *Curam Corporum*) for which he hath the Tythes Glebe, and Church Offerings, hath under him the Church-wardens and Sides-

Sides-men to take care of the Church, and Church-Assemblies; the Overseers of the Poor, to take care of the Poor, Sick, Aged, Orphans, and other Objects of Charity; and Lastly, the Clerk to wait on him at Divine Service.

Thus admirable and excellent is the Constitution of the present *English Government* above or beyond any other Government in Christendom.

O Fortunatos nimium bona si sua norint.

Angligenas —

If English men did know their Bliss,
Too great would be their Happiness.

Of the Military Government of England.

IT was a smart *Motto* that the Great Henry the IV. of France, Grandfather to our Gracious King now reigning, caused to be engraven on his Great Guns, *Ratio Ultima Regum*: Intimating thereby, that when Subjects refuse to submit to the Lawes of the Land, or Neighbours to the Law of Nations, then Kings have recourse to Force and Armes, to bring them to Reason.

So long as Subjects are prone to Sedition, and Neighbour-Princes and States to Ambition, there will be a necessity of a Military

litary Power in every State, both by Land and likewise by Sea, where the Country is any where bordering on the Sea.

Of the *Military* power of England, both by Land and Sea, the King of England hath the sole Supreme Power, Government, Command and disposition. And neither one nor both Houses of Parliament, have any right to levy any Forces, or make any War Offensive or Defensive, as they have at large declared in Parliament, *Anno 14. Car. 2.*

By Land, the next under the King was the late Duke of *Albemarle*, who by his Majesties Commission dated 4th of *April, 1660.* at *Breda*, was made *Generalissimo* of all His Majesties Forces; in all his Three Kingdoms, Horse and Foot, Land Soldiers in pay, as well within Garrison as without.

Since the Death of the aforementioned Duke, the Horse and Foot which are in constant Pay are thus ordered: there are four excellent Regiments of Foot. The first is called the Kings Regiment, consisting of 24 Companies, and near 1700 Men, commanded by Coll. *John Russel*, whose Lieutenant Coll. is *Edw. Grey*, Brother to the Lord Grey, and whose Major is *William Rolleston*.

The next is the Duke of *Torks* Regiment 720 men, commanded by Sir *Charles Lisleston*, whose Lieft. Coll. is Sir *John Griffith*, and his Major *Nath. Dorrel*.

Of the third Regiment, 600 men, Sir
Walter

Walter Vane is Coll. *Thomas Howard* of *Suffolk* Lieft. Coll. and *Sir Thomas Ogte* Major.

Of the fourth Regiment, 960 men, the Coll. is the *Earl of Craven*, his Lieft. Coll. is *Sir James Smith*, his Major *John Millar*.

There is also a Gallant Regiment of Horse, consisting of 8 Troops, about 500 Horse, besides Officers, commanded by the *Earl of Oxford*, and his Major is *Francis Windham*.

His Majesty hath besides; 3 compleat Troops for his Life-Guard: whereof one is called the *Kings Troope*, consisting of 200 Horse, and commanded by the *Duke of Monmouth*: Another the *Queens Troop*, 150 Horse, and commanded by *Sir Philip Howard*; and the third the *Duke of Yorks Troop*, 150 Horse, and commanded by the *Marquis of Blanquesfort*, whereof see more in the first part of the *Present State of England*.

The Pay of a Colonel of Foot is 20 s. per diem, and of a Colonel of Horse 12 s. per diem, the other Officers have proportionable pay. Each Foot Souldier in London, hath 10 d. a day, and each Horseman 2 s. 6 d. a day. Onely those of the Life Guard have each 4 s. a day.

The rest of his Majesties Forces that are in constant pay, are disposed of into several Garrisons, a List whereof follows Alphabetically, with the names of their several Governors.

Barwick, Lord Widdrington.
Calshot Castle M. Panlet Esq;
Carlisle, Sir Philip Musgrave.
Chepstow, Captain Roger Vaughan.
Chester, Sir Jeofry Shackerly.
Dartmouth Castle, E. Vowel Esq;
Devon, Capt. Strobe.
Dea'e, Capt. Digby.
Guernsey, Lord Hatton.
Gravesend, Sir Francis Leak.
Harwich, Sir Charles Littleton.
Hull, John Lord Bellassis.
Hurst Castle, Capt. Strange.
Jersey, Sir Tomas Morgan.
Langward Fort, Sir Charles Littleton.
St. Maw's, Sir Viel Vivian.
Pendenis, Richard Lord Arundel,
Plimouth, Earl of Bath.
Portsmouth, D. of York, Sir Philip
 Honywood, Lieutenant Governor.
Portland Castle, Humphrey Weld, Esq;
Sandgate Castle Sir Thomas Allen.
Sandown Castle, Captain Freeman.
Scarborough, Sir Tho. Slingsby.
Scylly Isle, Sir Will. Godolphin.
Shereness, Sir Boucher Wray.
Tinmouth, Col. Edward Villars.
Tower, Sir John Robinson.
Upner Castle, Capt. Fortescue.

Walmer

Walmer Castle, Sir Tho. Engeha.

Windsor Castle, Prince Rupert.

Isle of Wight, Sir Robert Holmes.

York, the Lord Freschivile.

In some of these Garrisons His Majesty is at the charge of above 300 men constantly, each Garrison Souldier hath 8 pence a day.

Of all the Land Forces in pay, the Commissioners Gen. of Musters are *Henry Howard of Suffolk*, and *Sir Cecil Howard*.

The Pay-Master of all the Forces is *Sir Stephen Fox*.

The Judge Advocate *Dr. Sam. Barrow*.

For regulating and ordering his Majesties Land Forces, that are in constant pay, there are no Orders, yet settled by Act of Parliament, as there are for his Sea Forces, but may be in a shott time.

Besides, the aforementioned Forces there is the standing *Militia* by Land of all *England* settled in the King, to be governed, ordered, and enlarged from time to time as his Majesty shall see occasion.

For the management of these standing Land Forces the King himself makes choice of divers of the principal Peers of his Kingdom, and by Commission creates them Lord Lieutenants of the severall Counties of *England*, with power to arm, array, and form into Companies, Troops, and Regiments, to conduct (upon occasion of Rebellion or Invasions) and employ the men
so

so armed within the Counties and Places for which the said Lords are commissioned, or into any other County, as the King shall give order. To give Commissions to Colonels, or other Commissioned Officers, to present to the King the names of the Deputy-Lieutenants, who have in the absence of the Lord Lieutenant the same power (and these are to be of the prime Gentry of the County) to charge any person in the County with Horse, Horsemen, and Arms, or Foot Souldiers and Arms within the said County, proportionable to their Estates, with limitation that no person be charged with a Horse, unless he hath 500 *l.* yearly Revenüe, or 6000 *l.* personal Estate. No person to be charged with a Foot Souldier, unless he hath 50 *l.* yearly Revenue, or 600 *l.* personal Estate. Those that have meaner Estates are to joyn two or three together, to find a Horse and Horsemen, or a Foot Souldier.

The forementioned Horse and Foot are to muster once or twice a year, and each Horseman during the time of the Muster to be allowed him for whom he serves 2 *s.* a day, and each Foot Souldier 12 *d.* a day.

For furnishing Ammunition and other Necessaries, the Lord Lieutenants, or Deputy Lieutenants may levy every year one fourth part (if they judge it expedient) of each mans proportion in the Tax of 70000 *l.* a moneth upon the whole Kingdom: and in the case of marching against an enemy, they have power to cause every man so charged

charged to allow each Souldier one months pay, which the King is after to repay before they may be charged with another months pay.

These Forces are alwayes in readines with all things necessary at the beat of a Drum, or sound of Trumpet, to appear, muster, and be compleat with men, horse, and armes, and are at certain times trained and disciplined, that they become able, skilful, and useful Souldiers.

These are to be commanded onely within the Kingdom, for the security of the King and Kingdom.

Subservient in the standing *Militia* to the Lord Lieutenant, and Deputy Lieutenant are the Justices of Peace of every County, who upon all occasions according to the orders of their Superiours, are to send their Warrants to the High Constable of the Hundred, or Petty Constable of the Parish, &c.

These are commonly called the Trainbands of every County, whereof the number is so great, that in only five of the bigger Counties of *England* there are to be found well provided forty thousand able lusty men ready to assist the King upon all occasions, so that in all times of peace the King hath six or seven score thousand men enrolled, and wholly and solely at his disposing for the defence of his Kingdom of *England*.

For the better securing of the Kingdom from forreign Invasion, besides the Ships of war

war (whereof more anon) there are upon certain eminent places over all parts of *England*, mediterrane, as well as maritime, high Poles erected, whereon are fastned pitch-Barrels to be fired by night, and a smoke made by day, and thereby to give notice in few hours to the whole Kingdom of the approaching Invasion; whereupon the Inhabitants in arms make hast to the sea-coasts. These are called Becons, from the Saxon *Beacen* or *Beacnian*, to shew by a sign. In all times of danger some are set to watch at every Becon.

Antiently there were many Castles in all parts of *England*; but inland Castles generally have either been demolisht in latter times, or wittingly suffered to decay, that to Rebels they might be no shelter, to Invaders no stay, nor to the invaded any refuge in flight, and consequently, that there may not be any *lingring war* again in *England*, which is the greatest misery and calamity that can ever happen to a Nation.

In 1588. upon expectation of the Spanish Armado sailed invincible, there went forth from the Queen Commissions to muster in all parts of *England*, all men that were of perfect sence and limb, from the age of 16. to 60. except Noblemen, Clergymen, University Students, Lawyers, Officers, and such as had any publick charges, leaving only in every Parish so many Husbandmen as were sufficient to till the ground. In all those Musters there were
then

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then numbred three millions : but of those fit for war, about six hundred thousand.

In another Muster of *Queen Elizabeth* there were found in all *England* fit for war of common Souldiers, about four hundred thousand, and of those armed and trained one hundred eighty five thousand, besides Horse near forty thousand : and that the Nobility and Gentry were then able to bring into the field of their Servants and Followers twenty thousand men Horse and Foot choise men, and excellent horses, and in all fit for war, and ready upon all occasions, six hundred forty two thousand, leaving sufficient to till the ground, and to furnish Trades, besides Nobility, Gentry, &c.

A

A List of the present Lords Lieutenants of the several Counties and Places of England, in Alphabetical Order.

B Edford, Earl of Alisbury.
 Berks, Lord Lovelace.
 Bristol, Duke of Ormond.
 Bucks, Earl of Bridgwater.
 Cambridge, Earl of Suffolk.
 Cheshire, Earl of Derby.
 Cornwall, Earl of Bath.
 Cumberland, Earl of Carlisle.
 Derby, Earl of Devonshire.
 Devon, Duke of Albemarle.
 Dorset, Duke of Richmond.
 Durham, Bishop of Durham.
 Essex, Earl of Oxford.
 Gloucester, Marquis of Worcester.
 Hereford, Marquis of Worcester.
 Hertford, Earl of Essex.
 Huntingdon, Earl of Sandwich.
 Kent, Duke of Richmond.
 Lancaster, Earl of Derby.
 Leicester, Earl of Rutland.
 Lincoln, Earl of Lindsey.
 Middlesex, Earl of Craven.
 Monmouth, Marquis of Worcester.
 Norfolk, Lord Townsend.
 Northampton, Earl of Peterborough.

Nor-

Northumberland, Earl of Ogle.
 Nottingham, Duke of Newcastle.
 Oxford, Lord Say and Seal.
 Purbeck Isle, Sir Ralph Banks.
 Rutland, Viscount Camden.
 Shropshire, Lord Newport.
 Southwark Borough, Earl of Craven.
 Somerset, Duke of Ormond.
 Southampton, Lord St. John.
 Stafford, Lord Brook.
 Suffolk, Earl of Suffolk.
 Surrey, Lord Mordant.
 Sussex, Earl of Dorset.
 Wales, Earl of Carbery.
 Warwick, Earl of Northampton.
 Westmerland, Earl of Carlisle.
 Wilts, Earl of Essex.
 Worcester, Lord Windsor.
 York East-Riding, Lord Bellasis.
 York West-Riding, Duke of Buckingham.
 York North-Riding, Viscount Falconbridge.

of

*Of the present Maritime Power
belonging to the Crown of Eng-
land.*

THe Kingdom of *England* being a Pen-
insula, almost surrounded with the
sea, there will always be a necessity of ma-
ritime Forces. And as next Neighbours
grow potent at sea, the King of *England*
will be necessitated to augment his maritime
forces proportionable (how great soever
the charges thereof may be) or else to quit
his antient right to the Sovereignty of the
narrow seas, and to suffer his Merchants to
be abused, and their traffique every where
interrupted.

It is true, that in the 24 of *Eliz.* upon
a general view and muster there were found
but 13 Ships of war, and 135 Ships of con-
siderable burden belonging to all the Sub-
jects of *England*: and in the year 1600 her
Majesty had but 36 Ships of war, and 13
or 14 Pinaces, the biggest Ship was then
of one thousand Tun, carried Three hun-
dred and forty Mariners, one hundred
and thirty Soldiers, and but Thirty piece
of Ordnance: The lesser Ships of War,
were of one hundred Tun, Forty or Fifty
Mariners, Seven or Eight Souldiers, and
Eight Guns. The Pinnaces of Thirty Tun,
Eighteen or twenty Mariners, and Two or
four

four Guns, so small was the Royal Fleet in those days, when our next Neighbour Nations were weak, and always engaged with Civil and Foreign Wars; but now that their strength at Sea, is of late so prodigiously increased, it will be most expedient for this Kingdom, to be always well provided: And, God be thanked, we have a King that understands better, and takes more delight in Maritime Affairs, and Ships of War, then any of his Royal Ancestors, or any Sovereign Prince now living in the World; and who hath made it his chief business that way, to fortifie this Kingdom.

The Forces of Retentates at Sea, *Sont des Marques de Grands Estat*, saith a French Author, Whosoever commands the Sea, commands the Trade of the World; he that commands the Trade commands the Wealth of the World, and consequently the World it self.

Again, As he that is Master of the Field; is said to be Master of every Town, when it shall please him; so, he that is Master of the Sea, may, in some sort, be said to be Master of every Countrey, at least of such as are bordering on the Sea; for he is at liberty to begin, or end a War, where, and upon what terms he pleaseth, and to extend his Conquests even to the *Antipodes*.

To the Crown of England belongs the Dominion of all the narrow Seas, round about the whole Island of Great Britain, by Ancient Right whereof, it hath had possession in all times. First, the *Aborigines*

or

or *Ancient Britains* were possess'd thereof, (as Mr. *Selden* makes appear) and in their Right, the *Romans* held it; then the *Saxons* having gotten possession of *England*, kept that Dominion, their King *Edgar*, amongst His Royal Titles, calling Himself, *Sovereign of the Narrow Seas*.

Afterward the *Normans* possessing *England*, claimed, and quietly possess'd the same Dominion, in testimony whereof, the *Swedes*, *Danes*, *Hans-Towns*, *Hollanders*, *Zealanders*, &c. were wont to ask leave to pass the *British Seas*, and to take Licenses to fish therein: And to this day, do strike Sail to all the Ships of War belonging to the King of *England*, as oft as they pass by any one of them, thereby to express, that they acknowledge the Sovereignty of the *British Seas* to belong to the King of *England*, according to an Ordinance made at *Hastings* in *Sussex*, by *Fohn*, King of *England*, about Four hundred and fifty years ago.

To maintain this Right and Title to protect Trade, to subdue Pirates, to defend this Kingdom against hostile Invasions, and to reduce foreign Potentates to Reason, the Kings of *England* have had (especially of later times) a considerable number of Ships of War, for Strength, for Beauty and Sailing) if not for number) surpassing all those of our Neighbor Nations: For Strength, by reason of the most excellent *English* Timber, they are like so many Floating Castles and *Barbicans*: For Beauty,

so proportionably and spaciouſly built, and ſo curiouſly and richly adorned, that they are as ſo many Royal Palaces. Amongſt other Ships at Sea, they are as ſo many Lions amongſt other filly Beaſts, or as Eagles amongſt other Birds.

Hiſtories mention a great Fleet of *Julius Ceſar*, a Fleet of the fore-mentioned King *Edgar*, conſiſting of Three thouſand ſix hundred Sail; a Fleet of *Lewis*, Son to *Philip* King of France, of Six hundred Sail, that arrived at *Sandwich* to aſſiſt the *Engliſh Barons* againſt King *John*; but theſe doubtleſs were but as ſo many Cottages to Caſtles, in reſpect of the preſent Ships of War.

Henry the Eighth, in the Fifth year of His Reign, built a Ship, then accounted the greateſt, that ever had been ſeen in *England*, and named it *Henry Grace de Dieu*, or the *Great Henry*; it was of One thouſand Tun.

In the Eighth year of King *James* was built by the *Londoners*, a Ship of Twelve hundred Tun, and called *The Trades Increase*, which being loſt in the *East Indies*, King *James* cauſed another to be built of Fourteen hundred Tun, which being given to Prince *Henry*, was by Him named the *Prince*.

King *Charles*, the *Martyr*, perceiving the great encrease of Shipping in our Neighbor Nations, and that the Sovereignty of theſe Seas was like to be diſputed; amongſt other great Ships of War, built
one

Par. 2. of England.

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one greater then any Ship of War, either in England, or in any Countrey in Europe, and named it *The Royal Sovereign*; which for a little diversion, shall here be more particularly described.

The *Royal Sovereign*, being a Ship of the First Rate or Rank, built in the Year One thousand six hundred thirty and seven, is in length by the Keel One hundred twenty seven Foot, in bredth by the Beam Forty seven Foot, in depth Forty nine Foot, her draught of Water Twenty one Foot: Of burden, in all Two thousand seventy and two Tuns; and One thousand five hundred fifty and four Tuns, besides Guns, Tackle, &c. This mighty Moving-Castle hath Six Anchors, whereof the biggest weighs 6000 l. and the least 4300 l. It hath Fourteen Cables, whereof the greatest is Twenty one Inches in compass, and weighs 9000 l. Her least Cable being eight Inches in compass, weighing near 1300 l.

To the *Royal Sovereign* belong Eighteen Masts and Yards, whereof the greatest, called *The Main Mast*, is One hundred and thirteen Foot long, and Thirty eight Inches Diameter; Her *Main Yard* One hundred and five Foot long, and Twenty three Inches Diameter, and her *Main Top* Fifteen Foot Diameter: She hath Ten several sorts of Sails of several names (as every Ship of every one of the Six Rates hath) whereof her greatest Sail, called *Her Main Course* (together with her Bonnet)

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contains One thousand six hundred and forty Yards of *Canvas*, *Ipswich* double, and the least Sail called *The Fore-top gallant Sail*, contains One hundred and thirty yards of *Canvas*. The charge of one compleat Sute of Sails for the *Sovereign* is 404 $\frac{1}{2}$ Sterling Money. The weight of the Sea-store, in point of Ground Tackle and other Cordage, is Sixty Tuns, Eight hundred and odd pounds.

She carries a long Boat of Fifty Foot, a Pinnace of Thirty six Foot, and a Skiff of Twenty seven Foot long.

The weight of her Rigging is Three and thirty Tun.

She hath Three Tire of Guns, all of Brass, whereof there are Forty four in her Upper Tire, Thirty four in her second Tire, and Twenty two in her Lower Tire, in all One hundred Guns.

She carries in all, of Officers, Soldiers, and Mariners, Seven hundred Men.

Finally, Her whole Charges for Wages, Victuals, Ammunition, wear and tear, for every Moneth at Sea, costs the King 3500 $\frac{1}{2}$ Sterling, as hath been computed by a very skilful person.

The Charges of Building a Ship of the First Rate, together with Guns, Tackle, and Rigging (besides Victualing) doth ordinarily amount to about 62432 $\frac{1}{2}$ l. Those of Lower Rates proportionally.

The King hath now Six Ships of the First Rate, whereof Five are longer by the Keel than the formentioned *Royal Sovereign*,
and

and all of the same force, except two, which yet may carry each one, One hundred and ten Guns.

Of Ships of War, great and small, the King had before the last War with the *United Netherlands*, above One hundred, and sixty Sail, whereof a true List followeth.

20	250	1250	Charles
24	300	1200	Prince
100	700	1200	Sovereign

25	300	775	2. Andrew
25	300	775	3. George
25	300	775	4. Henry
25	300	775	5. James
25	300	775	6. John
25	300	775	7. Michael
25	300	775	8. Philip
25	300	775	9. Richard
25	300	775	10. Thomas
25	300	775	11. William
25	300	775	12. Edward
25	300	775	13. George
25	300	775	14. Henry
25	300	775	15. James
25	300	775	16. John
25	300	775	17. Michael
25	300	775	18. Philip
25	300	775	19. Richard
25	300	775	20. Thomas
25	300	775	21. William
25	300	775	22. Edward
25	300	775	23. George
25	300	775	24. Henry
25	300	775	25. James
25	300	775	26. John
25	300	775	27. Michael
25	300	775	28. Philip
25	300	775	29. Richard
25	300	775	30. Thomas
25	300	775	31. William
25	300	775	32. Edward
25	300	775	33. George
25	300	775	34. Henry
25	300	775	35. James
25	300	775	36. John
25	300	775	37. Michael
25	300	775	38. Philip
25	300	775	39. Richard
25	300	775	40. Thomas
25	300	775	41. William
25	300	775	42. Edward
25	300	775	43. George
25	300	775	44. Henry
25	300	775	45. James
25	300	775	46. John
25	300	775	47. Michael
25	300	775	48. Philip
25	300	775	49. Richard
25	300	775	50. Thomas
25	300	775	51. William
25	300	775	52. Edward
25	300	775	53. George
25	300	775	54. Henry
25	300	775	55. James
25	300	775	56. John
25	300	775	57. Michael
25	300	775	58. Philip
25	300	775	59. Richard
25	300	775	60. Thomas
25	300	775	61. William
25	300	775	62. Edward
25	300	775	63. George
25	300	775	64. Henry
25	300	775	65. James
25	300	775	66. John
25	300	775	67. Michael
25	300	775	68. Philip
25	300	775	69. Richard
25	300	775	70. Thomas
25	300	775	71. William
25	300	775	72. Edward
25	300	775	73. George
25	300	775	74. Henry
25	300	775	75. James
25	300	775	76. John
25	300	775	77. Michael
25	300	775	78. Philip
25	300	775	79. Richard
25	300	775	80. Thomas
25	300	775	81. William
25	300	775	82. Edward
25	300	775	83. George
25	300	775	84. Henry
25	300	775	85. James
25	300	775	86. John
25	300	775	87. Michael
25	300	775	88. Philip
25	300	775	89. Richard
25	300	775	90. Thomas
25	300	775	91. William
25	300	775	92. Edward
25	300	775	93. George
25	300	775	94. Henry
25	300	775	95. James
25	300	775	96. John
25	300	775	97. Michael
25	300	775	98. Philip
25	300	775	99. Richard
25	300	775	100. Thomas

A List in Alphabetical Order of
all the Ships, Frigats, and Ves-
sels of His Majesties Royal
Navy, together with the *Rates*,
Tuns, *Men*, and *Guns*, usually
accounted.

<i>First Rate Ships.</i>	<i>Tuns</i>	<i>Men</i>	<i>Guns</i>
Charles	1229	550	80
Prince	1205	600	84
Sovereign	1554	700	100

Second Rate.

S. Andrew	775	300	56
S. George	775	300	56
Henry	1047	380	64
James	792	350	60
London	1050	500	64
Royal James	1100	500	70
Rainbow,	782	320	56
Swiftsure	740	340	60
Triumph	779	350	64
Catherine			76
Victory	690	320	56

Second

Second Rate Ships.

	<i>Tons</i>	<i>Men</i>	<i>Guns</i>
Unicorn	786	320	56
Vanguard	706	300	56
Royal Oak			76
S. Michael			

Third Rate.

Anne	742	240	54
Dreadnought	738	240	52
Dunkirk	635	230	48
Edgar			
Essex	633	230	48
Fairfax	755	240	52
Henrietta	781	250	50
Glocester	755	240	52
Lion	550	210	48
Mary	727	260	56
Monk		260	50
Montague	769	260	52
Plimouth	771	250	50
Revenge	741	240	52
Resolution	765	250	52
York	739	240	52
Rupert			

<i>Fourth Rate Ships.</i>	<i>Tons</i>	<i>Men</i>	<i>Guns</i>
Antelope	550	160	40
Assistance	513	160	40
Advice	516	160	40
Adventure	505	140	24
Amity	354	120	30
Assurance	341	135	32
Bristol	534	180	44
Bear	430	130	36
Breda	515	160	40
Crown	536	160	40
Centurion	531	170	40
Convertine	500	170	40
Constant Warwick	315	135	32
Charity	400	140	38
Diamond	547	160	40
Dover	511	160	40
Dragon	414	150	38
Elizabeth	477	150	38
Elias	400	130	36
Expedition	323	120	30
Forefight	513	160	40
Guinea	375	120	30
Happy Return	607	180	44
Hampshire	481	150	38
Jersey	560	160	40
			<i>Ships.</i>

<i>Ships.</i>	<i>Tons</i>	<i>Men</i>	<i>Guns</i>
Indian	500	180	40
Kent	600	170	40
Leopard	666	180	44
Matthias	400	160	44
Mary Rose	566	160	40
Marmaduke	400	130	32
Newcastle	633	180	44
Nonfuch	389	140	34
Portland	607	170	40
Princess	600	150	36
Portsmouth	433	150	38
Phenix	414	150	38
President	462	150	38
Providence	323	120	30
Reserve	512	160	40
Ruby	550	160	40
Swallow	543	170	40
Saphire	442	150	38
Tyger	447	150	38
Welcome	400	150	38
Yarmouth	608	180	44

Fifth Rate.

Augustine	300	110	26
Briar	180	90	18
Colchester	287	110	24

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Ships.

<i>Ships.</i>	<i>Tons</i>	<i>Men</i>	<i>Guns</i>
Convert	250	110	26
Coventry	200	110	20
Dartmouth	220	110	22
Dolphin	130	80	14
Eagle	299	110	22
Forester	230	110	32
Fame	200	95	20
Gift	300	100	26
Garland	205	100	20
Greyhound	150	90	22
Half-Moon	300	110	26
Happy Entrance	200	100	20
Hector	150	90	20
Hound			
Lizard	100	170	16
Milford	262	115	22
Mermaid	287	110	22
Norwich	258	110	22
Nightingale	300	110	22
Oxford	240	105	22
Constant Warwick		80	22
Pearl	285	110	22
Pembroke	210	110	22
Paul	240	95	22
Richmond	235	110	22
Rosebush	300	100	24

Ships.

Ships	Tons	Men	Guns
Success Frigate	230	115	24
Speedwel	200	100	20
Sorlings	250	110	22
Success	380	130	34
Satisfaction	220	110	26
Sapphire	300	100	26
Westergat	300	100	26

Sixth Rate

Bramble	120	70	14
Blackmore	90	50	12
Carnation	100	60	12
Chefnug	90	45	10
Cog-way	60	40	8
Cignet	60	40	8
Drake	146	70	12
Dolphin	50	25	4
Diwert Smack			
Eaglet	60	40	8
Fox	120	70	14
Francis	90	50	10
Griffin	90	50	12
Gift	120	70	12
Hind	60	40	8
Hawk	60	40	8
Harp	60	40	6

Ships

<i>Ships.</i>	<i>Tons.</i>	<i>Men.</i>	<i>Guns.</i>
Hart			
Hunter	50	30	6
Henrietta Pinnace	65	25	6
Kingfale	90	50	10
Lark	80	50	10
Lilly	60	40	6
Martin	130	70	12
Mary	120	60	12
Marigold Hoy			
Nonfuch Catch.	60	40	8
Minion			
Paradox	127	70	12
Pearl Brigant.	50	25	4
Roe	60	40	8
Rose	60	40	6
Sparrow	90	60	12
Swallow	60	40	6
True Love	100	60	12
Vulture	100	60	12
Weymouth	120	70	12
Wolf	120	70	16

Besides the above-mentioned Vessels, there was the *New-Galley*, the *Eagle*, *Stork*, *Violet*, *Ostridge*, *Church* and *Elias*, in all 160 sail.

During

During the late War with the *United Netherlands, France, and Denmark*, some of these forementioned Vessels were lost (yet not near so many as the Dutch lost in that War) and since the Peace concluded many have been new built, even this present year, four Ships of the first Rate, and three of the third Rate have been, to His Majesties great expences, built and perfectly finished, or will be in a short time. Those new built Ships of the first Rate are the *Royal James, Prince, S. Andrew. London.*

All His Majesties *Maritime Forces* are under the Command of the *Lord High Admiral of England*, touching whose Name, Titles, Power, Priviledges, &c. See the first part.

The *Lord Admiral* hath under him many Officers of high and low condition, so we at Sea, others at Land; some of a *Military*, some of a *Civil* capacity; some *Judicial*, others *Ministerial*; so that the Dominion and Jurisdiction of the Sea may justly be stiled another *Commonwealth* or *Kingdom* a part. *In Mari sunt Regna distincta idque Jure Gentium, sicut in arida terra, saith Baldus,* that Learned Oracle of the *Civil Law*. And the *Lord High Admiral of England*, may fitly be stiled, or at least reputed as a *Vice-Roy* of the *Maritime Kingdom of England*.

The *Vice-Admiral of England* is an Officer, to whom next under the *High-Admiral*, it belongs to see the *Royal Navy* kept in good repair the Wages of Mariners and Ship-wrights duly paid, and the Ships provided

provided of all things necessary for any Expedition.

The Lord High Admiral of England doth by virtue of his place appoint in divers parts of the Kingdom his several Vice-Admirals, with their Judges and Marshals by Patent under the Great Seal of the High Court of Admiralty. These Vice-Admirals and Judges do exercise Jurisdiction in Maritime affairs within their several limits, and in case any person is aggrieved by any Sentence or Interlocutory Decree, that hath the force of a Definitive Sentence, he may appeal to the High Courts of Admiralty.

The present Vice-Admirals of the several Coasts of England, with their Judges, are these that follow in Alphabetical order.

Bristol City, Sir Thomas Bridges Vice-Admiral.

Cheshire and Lancashire, the Earl of Derby Vice-Admiral.

Sir Timothy Baldwin Knight, Doctor of Laws, Judge.

Cornwall South parts, Trelawny Vice-Admiral.

Cornwall North parts, Sir John Godolphin Vice-Admiral.

Mr. Scawen Judge.

Cumbria

Cumberland, Earl of Carlisle V. Admiral.
 Durham, Earl of Carlisle V. Admiral.
 Devonshire, John Vowel Esq; V. Admiral.
 Dr. Masters Judge.

Dorsetshire, Bullen Keyms Esq; V. Admiral.
 Essex, Sir John Bramston V. Admiral.
 Sir Mundisford Bramston Judge.

Glocester, Thomas Cheston Esq; V. Admiral.
 Kent, Duke of Richmond V. Admiral.
 Lincoln, Lord Castleton V. Admiral.
 Newcastle, Earl of Carlisle V. Admiral.
 Norfolk, Lord Townshend V. Admiral.
 Sir Justinian Lewen Kt. Dr. of Laws, Judge.

Northumberland, Earl of Carlisle V. Adm.
 Somersetsbire, Sir Thomas Bridges V. Admiral.
 Sussex, Sir John Pelham V. Admiral.
 Dr. Low Judge.

Suffolk, Sir Henry Pelton V. Admiral.
 Dr. Clark Judge.

Southampton, and Isle of Wight, Sir Robert
 Holms V. Admiral.
 Dr. Lloyd Judge.

Wales North parts, Col. John Robinson
 V. Admiral.
 Mr. Walter Mansel Judge.

York, Earl of Mulgrave V. Admiral.

For

The present State

For handling of *Maritime Affairs*, the Lord High Admiral hath Courts of his own, whereof that at London is the principal or supream, where all *Process* and *Proceedings* run in his name, and not in the Kings, as it doth in all *Common-Law* Courts; in this Court usually called the *Court of Admiralty*; he hath a Lieutenant called *Judge of the Admiralty*, who is commonly some Learned Doctor of the *Civil Law*, and is at present Doctor *Jenkins*, lately Knighted for his great worth, and now called Sir *Lionel Jenkins*.

The Proceeding in this Court in all *Civil Matters*, is according to the *Civil Law*, because the *Sea* is without the limits of the *Common-Law*, but under the *Admirals Jurisdiction*; therefore the *Civil Law* onely (all *Common-Law* secluded) is made use of, and, by *Libel* they proceed to the *Action*, the Plaintiff giving Caution to prosecute the Sute, and to pay what shall be judged against him, if he fail in the Sute, the Defendant on the contrary securing the Plaintiff by sufficient surety or caution, as the Judge shall think meet, that he will appear in Judgment, and pay that which shall be adjudged against him, and that he will ratifie and allow all that his Proctor shall do in his name, whereby the Clients are well assured to obtain that which by Law shall be adjudged to them, let the Cause fall on which side soever.

In the *Admiralty Court* of England use is made, not onely of the *Civil Laws*, but the

the Laws of *Rhodes* and *Oleron*, whereof the former is an Island in the *Mediterranean Sea*, about twenty miles distant from the Continent of *Asia Minor*, and is now under the *Turk*, the Antient Inhabitants whereof, by their mighty Trade and Power at Sea, grew so expert in the Regulation of all *Maritime Matters* and *Differences*, and their *Determinations* therein, were esteemed so just and equitable, that their Laws in such affairs have ever since been observed for *Oracles*. Those Laws were long ago incorporated into the Volumes of the *Civil Law*: And the *Romans*, who gave Laws to other *Nations*, and excelled all *Nations* in making of good Laws; yet for their *Sea Affairs*, referred all Debates and Controversies to the Judgment of these *Rhodian Laws*.

Oleron is an Island antiently belonging to the Crown of *England*, seated in the Bay of *Aquitane*, not far from the Mouth of the *Garonne*, where our famous Warrior King *Richard the First*, caused to be compiled such excellent Laws for Sea Matters, that in the Ocean Sea Westward, they had almost as much repute as the *Rhodian Laws* in the *Mediterranean*; and these Laws were called *La Rool d'Oleron*.

King *Edward the Third* (who first erected this Court of *Admiralty*, as some hold) made at *Quinborough* 1375. very excellent Constitutions concerning *Maritime Affairs*, and many Statutes and Ordinances have been made by other Princes, and

and People, as at *Rome, Pisa, Genoa, Marseilles, Barcelona, and Messina*; yet, that fragment of the *Rhodian Law*, still extant with the Comments thereon by the old *Jurisconsults* inserted in the *Pandects*, and the Constitutions made by the *Roman Emperors* contained in the *Code*, and in the *Novelles*, still holds the Preeminence.

The Customs and former Decrees of the *English Court of Admiralty*, are there of force for deciding of Controversies. Under this Court there is also a *Court of Equity*, for determining differences between Merchants.

In Criminal Affairs, which is commonly about Piracy, the proceeding in this Court was by Accusation and Information, according to the *Civil Law*, by a Mans own Confession, or Eye-witnesses found guilty before he could be condemned: But that being found inconvenient, there were two Statutes made by *Henry the Eighth*, That Criminal Affairs should be tried by Witnesses, and a Jury, and this by Special Commission of the King to the *Lord Admiral*; wherein some of the Judges of the Realm are ever Commissioners, and the Tryal according to the *Laws of England*, directed by those Statutes.

Between the Common Law of *England*, and the *Admiralty*, there seems to be *Divisum Imperium*; for in the Sea, so far as the Low-water Mark is observed, that is counted, *Infra Corpus Comitatus adjacentis*,
and

and Causesthencc arising are determinable by the Common Law, yet when the Sea is full, the Admiral hath Jurisdiction there also (so long as the Sea flows) over matters done between the Low-water Mark, and the Land, as appears in Sir Henry Constables Case, 5 Report, Coke p. 107.

Eor regulating and ordering His Majesties Navies, Ships of War, and Forces by Sea. See those excellent Articles and Orders in Stat. 13 Car. 2. cap. 9.

of the Navy-Office, where the whole business concerning the Kings Vessels of War is managed.

First, There is the Treasurer of the Navy, the Earl of *Anglesey*, whose Office is to receive out of the Exchequer, by Warrant from the Lord Treasurer of England; and to pay all charges of the Navy, by Warrant from the principal Officers of the Navy, for which he hath salary 220 l. 13 s. 4 d. besides 3 d. in the pound of all moneys paid by him.

This Office is executed, *pro tempore*, by Sir *Thomas Osburn*, and Sir *Thomas Littleton*, for which there are allowed to each fifteen hundred pounds *per annum*.

Next the Controller of the Navy, Sir *John Mennes*, whose Office is to attend and controll all payments of wages, to know the Market rates of all stores belonging to shipping, to examine and audit Treasurers, Victuallers, and Store-keepers, Accounts, &c. his Salary is 500 l. yearly. This Office is executed at present by the Lord Vicount *Brounker*, the forementioned Sir *John Mennes*, and Sir *Jeremy Smith*, together.

Surveyor of the Navy, Collonel *Thomas Middleton*, whose Office is generally to know the state of all stores, and see the wants supplied; to find the Hulls, Masts, Yards, and estimate the value of repairs; by Indentures to charge all *Boatswains*, and Carpenters of His Majesties Navy, with what stores they receive, and at the end of each voyage, to state and audit their Accounts, his Salary is 490 l.

Clerk of the Acts *Samuel Pepys* Esquire, whose Office is to record all Orders, Contracts, Bills, Warrants, and other businesses transacted by the Principal Officers and Commissioners of the Navy, &c.

Next the Commissioners of the Navy, viz. the forementioned Lord *Brouncker* and Sir *Jeremy Smith*, whose Office is as above specified; and salary to each 500 l. yearly.

Two other Commissioners, *John Tippers* and *John Cox* Esquires, whose particular work is to be at *Portsmouth* and *Chatham*, alwayes in readiness, to give Orders for the better management of His Majesties affairs in his Yards or Store-houses there; Salary to each is 350 l. yearly.

Each of these Officers above-named, have two Clerks, and some of them more, all paid by the Treasurer of the Navy, all hold their Places by Patent from the King, and the most of them during Pleasure.

The King hath for His Navy Royal and
Stores,

The present State

Stores, 4 great Yards or Store-houses, viz. at *Chatham*, *Deptford*, *Woollwich*, and *Portsmouth*, where his Ships are built, repaired and laid up after their voyages. In which Yards are employed divers Officers, whereof there are six Principal, whose Office, Names, and Salaries follow.

Chat Dep Wool Port.

Clerk of the Check.	}	181	108	98	126
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Store-keep- er.	}	236	164	128	119
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Master atten- dant, 2 at <i>Chatham</i> .	}	200	100	100	108
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Master Ship- wright.	}	103	113		130
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Clerk of the Controll.	}	100	120	80	80
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Clerk of the Survey.	}	140	102		84
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Note

Note that the charges of their Clerks and Instruments are included in the aforementioned Salaries.

Besides these four Yards, His Majesty hath divers Rope-Yards, as at *Chatham*, *Woolwich*, and *Portsmouth*, where are made all His Cables and Cordage for his Navy.

Also in time of a Sea-war, the King hath another Yard at *Harwich*, where there is out of War-time continued an Officer at the charges of 100 l. yearly.

Yearly Pensions allowed by the King to his Flag-Officers whilst they are at Land out of Employment.

Two Admirals

Salaries:

l.

<i>Sir George Askew</i>	250
<i>Sir Thomas Allen.</i>	245

Three Vice-Admirals.

<i>Sir Joseph Jordan</i>	200
<i>Sir Edward Sprag</i>	250
<i>Sir John Herman</i>	200

Three

Three Rere-Admirals.

Riches Ulbert,	150
Sir John Kempthorn	130
John Hubbert,	150

All the Fore-mentioned Officers, and the whole Navy-Office are governed by the Lord High-Admiral of England, whose Lieutenant-Admiral is the Earl of Sandwich, Salary 20 s. *per diem*, and 10 s. *per mens.* for each servant, whereof he is allowed 16.

Lord Adm. Secretary is Matthew Wren, Esquire, his Salary from the King is 500 l. yearly.

All the other under Officers, as well those in the several Yards, as those belonging to any of His Majesties ships, hold their places by Warrant from the Lord High Admiral *durante bene placito*.

The ordinary yearly Charge of His Majesties Navy, in times of Peace, continuing in Harbour, is so well regulated, that it amounts to scarce 70000 l. besides all charges of building of Ships, &c. or setting forth any Fleets. which some years even in peaceable times, amounts to 12 or 1300000 l. more, as may easily be conjectured by the charges of building and rigging of Ships, and of one Moneths expences at Sea afore specified, so that the

English

English Subject need no longer wonder how their late large Contributions and Aids have been spent, but rather how this Kingdoms necessary Expences should be discharged with so much less then our neighbouring Nations can with all their frugality defray theirs, where the daily complaints are, that by Customes and Excises, by Tailles and Gabells more Money is every year squeezed from the Subject then was done in twenty years together in their Ancestors dayes.

K Of

OF THE
CITY
OF
LONDON.

LONDON being the *Epitome* of *England*, the Seat of the British Empire, the Chamber of the King, and the chiefeſt *Emporium* or Town of Trade in the World; it will not be impertinent to give ſome account thereof.

To deſcribe particularly all things in this City worthy to be known, would take up a whole Volume; therefore, according to the intended brevity of this *Treatiſe*, here ſhall be inſerted onely τα μεγαλεια τῆς πόλεως *Magnalia Londini*, ſuch things as ſtrangers and foreigners commonly count remarkable.

Take then a ſummary account of the Name, Antiquity, Situation, Magnitude, Streets, Houſes, Number of Inhabitants, Pariſh-Churches, Cathedral, Royal Exchange, River, Conduits, Aqueducts, Trade, Government, Publick Halls of Companies;
of

of the Tower, Bridge, Custom-House, Publick Offices, Colledges, Schooles, Hospitals, Work Houses, &c.

LONDON, so called, as some conjecture, from *Llongdin* the British word, signifying in the Saxon Tongue *Shipton*, or Town of Ships; was built, as some write, 1108 years before the Birth of our Saviour, that is, 2778 years agoe, in the time of Samuel the Prophet, and about 356 years before the building of Rome. Name. Antiqui

In the most excellent situation of London, the profound wisdom of our Ancestors is very conspicuous and admirable. It is seated in a pleasant ever-green valley; upon a gentle rising Bank in an excellent Aire, in a wholesome soyl mixt with gravel and sand, upon the famous Navigable River *Thames*, at a place where it is cast into a *Crescent*, that so each part of the City might enjoy the benefit of the River, and yet not be far distant one from the other, about 60 miles from the Sea, not so near, that it might be in danger of Surprisal by the Fleets of Forreign enemies, or be annoyed by the boysterous Winds, and unwholsome Vapours of the Sea; yet not so far, but that by the help of the Tide every twelve hours, all the *Commodities* that the Sea or World can afford, may by ships of great burden be brought into her very bosome, nor yet so far, but that it may enjoy the milder, warmer Vapours of the Eastern, Southern, and Western Seas; yet so far up in the Country, as it might also easily partake even of all the Country commodities: in

The present State

an excellent air, upon the North side of the River (for the Villages seated on the South-side are noted to be unhealthy, in regard of the vapours drawn upon them by the Sun) burroughed by gentle hills, from the North and South Winds; it lies in 51 Degree 34 Minutes Latitude.

The High-ways leading from all parts to this Noble City are large, straight, smooth, and fair; no Mountains nor Rocks, no Marshes nor Lakes to hinder Carriages and Passengers, so that as Corn may easily be brought, and Cattel commodiously driven unto it by Land; so those heavy though necessary Commodities, Hay and Fuel, are more cheaply conveyed by water: in a word all the blessings of Land and Sea near about, and by the benefit of Shipping, all the blessings of the Terrestrial Globe, may be said to be here injoyed, above any City of the world.

*Magni-
tude.*

The City of *LONDON* with its Suburbs and places adjacent, is of a vast extent: from *Lime House*, measured to the end of *Tothill*, or *Turtle-street*, from East to West, is above 7500 Geometrical paces, that is, above seven English Miles and a half; and from the farther end of *Blackmanstreet* in *Southwark*, to the end of *St. Leonard Shoreditch* is 2500 paces, or two miles and a half.

Streets.

In this great City, the Streets, Lanes and Allyes, as they are called, are in number above 500, and yet, some of them above half a measured mile in length: Dwelling
houses.

houses, before the late dreadful Fire, were computed onely within the Walls, above fifteen thousand, and that was accounted but a fifth part of the whole City, as may be judged by the weekly Bills of Mortality.

The Buildings, especially of late years, *Houses.* are generally very fair and stately, but within the City, the spacious Houses of Noblemen, rich Merchants, the Halls of Companies, the fair Taverns are hidden to strangers, by reason that they are generally built backward, that so the whole room towards the street might be reserved for Tradesmens shops. If they had been all built toward the street, as in other Countries, no Forreign City would, even in this particular, much surpass *London*; Yet, if a Stranger shall view *Lincolns-Inne* fields, *Southampton-Buildings*, *Covent Garden*, *St. James Fields*, *Hatton-Garden*, *Cheapside*, *Lumbard-street*, *Canon street*, *Fleet-street*, &c. He must confess, that for fair *Piazza's*, or open Places, for stately uniform buildings, for spacious streight streets, there is scarce the parallel in *Europe*.

That the Reader may the better guess at the number of Inhabitants, or humane Souls, within this great City, he must know, that in one year there were computed to be eaten in *London*, when it was less by one fourth part, 67500 Beefs, ten times as ma-

*Number
of Inha-
bitants.*

ny Sheep, besides abundance of Calves; Lambs, Swine, all sorts of Poultry, Fowl, Fish, Roots, Milk, &c. Also that *communibus annis* to supply London with Newcastle Coal, there is brought into the River of *Thames* two hundred and seventy thousand Chaldron, and every Chaldron is 36 Bushels.

Again, the number of Inhabitants may be guessed at by the Burials and Births in London, which, in ordinary years, when there is no *Pestilence*, amount of late to Twenty thousand in a year, three times more then in *Amsterdam*, and but one 20th part less then in *Paris*, as may be seen by the Bills of these three Cities.

As also by the quantity of Beer drank in London in a year, which to all Forreigners will be incredible, for in the year 1667, according to exact computation, there was brewed within that year in London, four hundred fifty two thousand five hundred sixty three Barrels of strong Beer, sold at 12 s. 6 d. the Barrel, and five hundred and eighty thousand and four hundred twenty one Barrels of Ale, sold at 16 s. the Barrel, and four hundred eighty nine thousand seven hundred ninety seven Barrels of Table Beer, or small Beer, sold at 6 s. 6 d. the Barrel. The Beer strong and small is 36 Gallons to the Barrel, and the Ale 32 Gallons to the Barrel, and now since the *Pestilence* and the Fire, that this City is again fully peopled, there is much more Liquor brewed.

It is true, that some hereof is transported beyond the Sea, but that is scarce considerable

Besides all this Beer and Ale, there is consumed in London a vast quantity of French and Spanish wines, much Rhenish-wine, Sider, Mum, Coffee, Chocolate, Brandy, and other Drinks.

The Excise only of Beer and Ale for the City of London (though it be a very moderate Imposition) is farmed or rented of the King at above one hundred and twenty thousand pounds a year, and about one fourth part of all that Excise throughout England.

Parish Churches, besides Chappels, there were in all 130, that is, double the number of Churches parochial to be found in any City of Christendome, the Mother Church whereof is dedicated to the memory of St. Paul (the onely Cathedral of that Name in Europe) and founded by Sebert a Saxon King, about the year 610, in a place where had stood a Temple dedicated to Diana, and afterward enlarged by Erkenwald the Fourth Saxon Bishop thereof; and that old Fabrick being almost destroyed by Fire, Mauritius another Bishop of London, in One thousand eighty three began and finished a great part of the present magnificent Pile, in the space of 20 years, but the Quire and Tower were not finished till 1221, and then it was dedicated in a most solemn manner (as was the Temple of Solomon)

Churches

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the King, the Bishops, and a vast number from all parts of the Nation assisting thereat.

It is seated on the highest part of all the City, and was more conspicuous perhaps than any Cathedral Church in the World; it was a structure for length, height and antiquity surpassing all other Churches; the length thereof was 690 Foot (therein excelling by 20 foot, *St. Peters in Rome*, which for beauty, proportion, and divers other things excels all other Temples) it was in height 102 foot, and in breadth 130. The Church was built as other Cathedrals, in a perfect Cross, and in the midst of the Cross, upon mighty high Arches, was a Tower of Stone 260 foot high, and on that a spire of Timber covered with Lead, in height 260 foot more, in all from the ground 520 foot; above which was a Bole of Copper Gilt, of 9 foot in compass, whereon stood the Cross, 15 foot and a half high, and almost 6 foot a cross, made of Oak, covered with Lead, and another cover of Copper over the Lead; above all stood the Eagle, or Cock of Copper Gilt, four foot long, and the breadth over the Wings 3 foot and a half.

In the year 1561, a part of this magnificent Pile was much wasted, and the rest endangered by a fire begun in that stately Timber Spire, by the negligence of a Plummer; who left his Pan of Fire there, whilest he went to Dinner, as he confest of later years on his Death-Bed: But by the great
Bounty

Bounty and Piety of Queen Elizabeth; of the Citizens of London, and of all the Clergy of the Province of Canterbury, it was again repaired in the space of Five years. After which, the Stone-work decaying apace, by reason of the corroding quality of the abundance of Sea-coal smoak, the Learned and Pious Martyr Doctor Laud coming to be Bishop of London, and after of Canterbury, was so zealous and vigorous for upholding this most Antient Church, Stately Monument of England, and glory of the City of London; that by the Kings favor, and liberal contribution of Godly People (maugre all opposition of the Puritans) the work was so eagerly pursued, that before the year 1640, the whole Body was finished with Portland Stone, excellent against all smoak and weather, and the Tower scaffolded up to the top, with a purpose to take it all down, and to rebuild it more fair, and of a greater height, with a stately Pinnacle at each corner, because the Arches were not thought strong enough to support another Steeple, and to place in that Tower the biggest and most tunable Bells in the World: For performance whereof, and for adorning the Church, there was in the Chamber of London above One hundred and seventy thousand pounds all taken out soon after, and employed in an Unnatural War, by a stiff necked People, against the best of Kings; in which one single act a great part of the Citizens of London, and of the Long Parliament

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became deeply guilty of a horrid Rebellion, and detestable Sacrilege.

After the Murder, or rather Martyrdom, of the forementioned Archbishop, the Scaffolds were taken away and sold, with some of the Lead, which covered this famous Structure, and this House of God made a Stable for Horses by the Disloyal Army, and almost all suffered to decay, till the Restauration of the King, who having a Pious intent to set upon the repair thereof again, it was all ruined by the late dreadful Conflagration in 1666. Which yet hath not so discouraged our gracious King, and the rest of our Church Governors, but that in a short time they intend to begin again the repair of the *Mother Church* of the *Mother City* of this Kingdom, to the Glory of God, and high honor of this City and Nation; for the speedy promoting whereof, both King and Parliament, City and Countrey, Clergy and Laity, high and low, seem to stand engaged, to lend their aid and assistance.

Of the forementioned Fire, that was able to destroy such a vast solid Structure as the Cathedral of *St. Paul*, a brief account may here be acceptable, especially to Foreigners, who have had imperfect relations thereof.

THE City of *LONDON*, within the Walls, was seated upon, near Four hundred and sixty Acres of Ground, whereon was built about Fifteen thousand Houses, besides Churches, Chappels, Halls, Colledges, Schools, and other Publick Buildings, whereof about four parts of five, were utterly devoured in the late dismal Conflagration, and about One part of five, of the whole City and Suburbs, counting therein *Westminster* and *Southwark*: There were then destroyed Eighty seven Parochial-Churches, Six Consecrated Chappels, all the Principal Publick Edifices; as the forenamed Cathedral of *St. Paul*, the great *Guild Hall*, wherein are held Nine several Courts belonging to the City; the *Royal Exchange*, the *Custom House*, most Halls of Companies, which were so many Basiliks, or Palaces, &c. whereof the whole damage is almost incredible.

In that one commodity of Books onely, wherewith *London* abounded, was lost; as Judicious *Stationers* have computed, One hundred and fifty thousand pounds; for the loss fell most upon that, and three or four other cumbersome commodities, not easie on a sudden to be removed, viz. Wines, Tobacco, Sugars, and Plums, wherewith this City was furnished beyond any City in the World. Yet, in this vast Incendy, not above Six or Eight persons were burnt: Of this dreadful Fire, there were many concurrent occasions..

First,

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First, The Drunkennels or Supine negligence of the *Baker*, in whose House it began, or of his Men.

Next, The dead time of the night, wherein it began, *viz.* between One and Two of the Clock after Midnight, when some were wearied with working, others filled with drink, all in a dead sleep.

Thirdly, The dead time of the week, being Saturday night, when Traders were retired to their Countrey-Houses, and none but Maid servants, or young Apprentices left to look to the City Houses.

Fourthly, The dead time of all the year, being then the long Vacation, on the Second of *September*, when Tradesmen were generally abroad in the Countrey, some in the remotest parts of *England*, to fetch in their Debts.

Fifthly, The closeness of the Buildings in that place, facilitating the progress of the Fire, and hindring the usual remedy which was by Engines to shoot Water.

Sixthly, The matter of the Buildings thereabouts, which was generally Wooden, and of old Timber.

Seventhly, The long continued Drought of the preceding Summer, even to that day, which had so dried the Timber, that it was never more apt to take Fire.

Eighthly, The matter of Wares in those parts, where were the greatest Magazines and Store-houses of the City, of Oyles, Pitch,

Pitch, Tar, Rozin, Wax, Butter, Brimstone, Hemp, Cordage, Cheese, Wine, Brandy, Sugars, &c.

Ninthly, an Easterly Wind, the driest of all other that had continued long before, and then did blow very strongly.

Tenthly, The unexpected failing of the Water, the *Thames* Water-Tower then out of order, and burnt down, immediately after the beginning of the fire, so that most Water Pipes were soon dry.

Lastly, An unusual negligence at first, and a confidence of easily quenching the Fire, on a suddain changed into a general consternation and despondency, all People chusing rather by flight to save their Goods, then by a vigorous opposition to save their Houses and the City.

These Causes thus strangely concurring, (to say nothing of Gods just indignation, for the notorious impenitency of the Citizens, for their great abominations in abetting and instigating the shedding of the precious innocent Blood, both of Gods Anointed, and of their other chief Governors, both in Church and State, for their still going on in their old hainous sins, of *Despising Dominions*, and *speaking evil of Dignities*, till there be no remedy) those forementioned causes, so wonderfully concurring by a general prodigious Conflagration, did make a greater spoil in the space of three days, viz. From Sunday morning to Wednesday morning, then Three or four Armies, unresisted, could easily have

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have done in twice the time; for (to give the Reader some little Prospect of the huge damages done by this Fire) it hath been computed by an ingenious person, that there were burnt in all, within the Walls of this City, Twelve thousand Houses, and without the Walls, One thousand Houses; all which valued one with another, at no more than 25 *l.* yearly Rent, which at the low rate of Twelve years purchase, will amount in the whole to Three millions and nine hundred thousand pounds Sterling. Then the Eighty seven Parish Churches, the most spacious Cathedral Church of *S. Paul*, Six Consecrated Chappels, the *Royal Burse* or *Exchange*, the great *Guild-Hall*, the *Customs-House*, the many magnificent Halls of Companies; the several Principal City Gates, with other Publick Edifices, may well be valued at Two Millions.

The Wares, Household-stuff, Moneys, and other moveable Goods lost and spoiled by the Fire, may probably amount to Two Millions of pounds, some say much more.

The Money spent in a general removing of Wares and Goods, during the Fire, and bringing them back afterward, in the hire of Boats, Carts, and Porters, may be well reckoned, at the least Two hundred thousand pounds; the total whereof, is Nine Millions, and Nine hundred thousand pounds, which reduced into *French Money*, will amount unto One hundred twenty eight millions and seven hundred thousand

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Livres Tournois. And yet, the Citizens recovering, after a few months, their Native Courage, have since so chearfully and unanimously set themselves to rebuild the City; that (not to mention whole streets, built and now building by others in the Suburbs) within the space of four years, they have erected in the same Streets, Ten thousand houses, and laid out for the same, Three millions of pounds Sterling, counting but 300 l. a House one with another; besides 19 fair solid stone Churches, that will cost above one hundred thousand pounds, are this present year 1671, all at the same time erecting, and will be suddenly finisht; which is here the rather mentioned, to stop the mouths of our *Romish* Adversaries, who oft alleadge, that since our Reformation, scarce one solid structure hath been Erected for Gods Worship, by the *English Protestants*; and as if the late Fire had onely purged the City, the Buildings are become infinitely more beautiful, more commodious, and more solid (the three main vertues of all Edifices) then before, nay, as if the Citizens had not been any way impoverish'd, but rather inricht by that huge Conflagration, they may be said to be even wanton in their Expences upon the stately Italian *Facciatas* or Fronts of their new Houses, (many of *Portland Stone*, as durable almost as *Marble*) upon their richly adorned Shops, Chambers, Balconies, Signs, Portals, &c. They have made their streets
much

much more large and strait; and whereas before they dwelt in low, dark, Wooden Cottages, they now live in lofty lightsome, uniform *Brick Buildings*; so that although our gracious King cannot say of this his Capital City, as one of the Emperors said of Rome, *Lateritiam inveni, Marmoream reliqui*, yet he may say of it what is almost equivalent, *Ligneam inveni, Lateritiam reliqui*, And of a Principal Structure of this City, the Royal Exchange, His Majesty may say, *Lateritiam inveni, Saxeam reliqui*; whereof take here this following brief Account.

THe former Burse began to be erected in the year 1566 just one hundred years before it was burnt: it was built at the cost and charges of a noble Merchant Sir *Thomas Gresham*, and in a solemn manner by a Herald and a Trumpet, in the presence and by the special Command of *Queen Elizabeth*, proclaimed and named the *ROYAL EXCHANGE*: it was built most of Brick, and yet was the most splendid Burse (all things considered) that was then in *Europe* (before the building whereof the Burse for Merchants was kept in *Lumbard-street*.)

Now it is built within and without of the forementioned excellent stone, with such curious and admirable Architecture, especially for a Front, a Turret, and for Arch-work, that it surpasseth all other Burses, *Quantum lenta solent inter Viburna Cupressi.* It

It is built Quadrangular, with a large Court, wherein the Merchants may assemble, and the greatest part, in case of rain or hot sun-shine, may be sheltered in side-Galleries or Portico's. The whole Fabrick cost above fifty thousand pounds, whereof one half is disbursed by the Chamber of London, or Corporation of the City, and the other half by the Company of Mercers: and to reimburse themselves there will be let to hire 190 Shops above stairs, at 20 *l.* yearly rent each, and 30 *l.* for fine, besides the several Shops below, on the East and West sides, and the huge vaulted Cellers under ground, so that it will be the richest piece of ground, perhaps, in the whole world; for, according to exact dimensions, the ground whereon this goodly Fabrick is erected, is but 171 foot from North to South, and 203 foot from East to West (for it is *Quadratum oblongum*) so that it is but very little more then three quarters of an Acre of Ground, and will produce above 4000 *l.* yearly Rent.

The River whereon is seated this Great City, for its breadth, depth, gentle, strait, even course, extraordinary wholesome water and Tides, is more commodious for Navigation then perhaps any other River in the world. The Sea flows gently up this River fourscore miles, that is, almost to Kingston, twelve miles above London by land, and twenty by water, bringing the

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the greater Vessels to *London*, and the smaller beyond; then against the Stream, boats are drawn to *Oxford*, and higher many miles.

It is high water at this City as oft as the Moon comes to the North East and South West points of Heaven, the one in our Hemisphere, and the other in the other Hemisphere. The highest Tydes are upon a Land Flood, the Wind North-west at the Equinoctial, and the Moon at full; when these four causes concur (which is very rare) then the *Thames* swells in some places over its Banks, and *Westminster*, is a little endammaged in their Cellars, not in their Chambers and upper Rooms, as the City of *Rome* sometimes is by the overflowing of the *Tiber*, and *Paris* by the *Seyne*.

This River opening Eastward towards *Germany* and *France*, is much more advantageous for Traffick than any other River of *England*. To say nothing of the variety of excellent Fish within this River, the fruitful fat soil, the pleasant rich Meadows, and innumerable stately Palaces on both sides thereof; in a word, the *Thames* seems to be the very Radical moisture of this City, and in some sence, the natural heat too, for almost all the Fuel for firing is brought up this River from *Newcastle*, *Scotland*, *Kent*, *Essex*, &c.

From this River the City by water Engins is in many places supplied with excellent

cellent wholesome water ; also from almost twenty Conduits of pure Spring water : and moreover, by a new River, brought at a vast charge and exquisite skill (by Sir *Hugh Middleton* who deserves his Statue in Brass) from *Amwell* and *Chadwell*, two Springs near *Ware* in *Hertsfordshire*, from whence, in a turning and winding course, it runs threescore miles, before it reaches this City; In some places the Channel is necessarily thirty foot deep, in other places it is carried over valeys more then twenty foot high above ground, in open Troughs. Over this new River are made eight hundred Bridges, some of Stone, some of Brick, and some of Wood : Six hundred men have been at once employed in this great work. It was begun 1608. and finished in five years. It serves the highest parts of *London* in their lower Rooms, and the lower parts in their highest Rooms ; moreover, this City is so situated, that in all parts (though on the highest ground) it is abundantly served with pumpe water, and those Pumps in many places, not 6 Foot deep in the ground.

The vast Traffick and Commerce whereby this City doth flourish, may be guessed at chiefly by the Customs which are paid for all Merchandise imported or exported, which are but very moderate Impositions in comparison of the Imposts of most other Countries of *Europe*, and yet the Customs of the Port of *London* onely amount to above three hundred thousand pounds

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pounds a year: By the infinite number of Ships, which by their Masts resemble a Forest as they ly along this stream, besides many that are sent forth every year to carry and fetch Commodities to and from all parts of the known world, whereby it comes to pass, that no small number of Merchants of *London*, for Wealth, for stately Houses within the City for Winter, and without for Summer, for rich Furniture, plentiful Tables, and honourable living, &c. excel some Princes in divers of our Neighbour Nations: Moreover: one may conjecture at the huge Commerce by the infinite number of great well furnished Shops; which a *Spaniard* once observing, together with the great number of Law Sutes in Term time, made this Report of *London* to his Country-men, that it was indeed a great City, but made up of nothing but *Tiendas y Contiendas*, Shops and Sutes: whereas he might rather have said more truly, in a few more words, viz. that *London* isa huge Magazin of Men, Money, Ships, Horses and Ammunition of all sorts of Commodities neceessary or expedient for the use or pleasure of mankind: that *London* is the mighty Rendezvous of Nobility, Gentry, Courtiers, Divines, Lawyers, Physitians, Merchants, Seamen, and all kinds of excellent Artificers, of the most refined Wits and most excellent Beauties; for it is observed that in most Families of *England*, if there be any

any Son or Daughter that excels the rest in Beauty or Wit, or perhaps Courage or Industry, or any other rare quality, *London* is their *North-star*, and they are never at rest till they point directly thither.

The Government of this City, considering the greatness and populousness thereof is very admirable, and might take up a Volume in the description thereof.

The Ecclesiastical Government is by a Bishop, was in the time of the *Britains* by an Archbishop, but when it became subject to the *Saxons*, the Archiepiscopal See, was placed at *Canterbury*, not because that was the more worthy City; but for the sake of Saint *Austin*, who first preacht the Gospel there to the Heathen Saxons, and was there buried. Since which time it hath been under a Bishop above ten Centuries and a half, in a continual succession, in which space there are reckoned 99 Bishops of *London* to the Present worthy Bishop thereof, the grave, learned, pious, divine Doctor, *Humphry Henchman* consecrated Bishop of *Salisbury* 1660. and translated to *London* 1663. To this Cathedral also belongs a Dean, a Chapter, a Treasurer and Thirty Prebendaries, all persons of worth.

For the Ecclesiastical Government of the several Parishes, there are placed many excellent Divines, that have the Cure of Souls, a Rector or Vicar for every Parish, and these have for a long time had the repute

pute of the most excellent way of Sermōnizing in Christendom, insomuch as divers Divines of Forreign Reformed Churches have come hither on purpose to learn their manner of haranguing in the Pulpit.

For maintaining these Divines with their families there is in every Parish a Parsonage or Vicaridge house, and in most a competent allowance in Tythes. Antiently the Parsons due in *London*, besides the Tithes of the Tradesmens Gains, and Mortuaries, Obits, &c. was 3 s. 5 d. in the pound of the yearly Rent, of all Houses and Shops; and this was paid as Offerings on Sundayes and Holydayes onely a half penny for each pound, whereby the Parishioners did hardly feel it, although the Sundayes and Holydayes were so many that in a whole year it amounted to 3 s. 5 d. in the pound. Afterwards many Holydays being taken away, and the Clergy Means thereby abated, it was ordained 25. H. 8. that 2 s. 9 d. in the pound of all Rents of Houses and Shops should be paid yearly to the Parson, whereunto the *Londoners* did not onely consent (as they had good reason, it being much less in the pound then before) but bound themselves by an Act of Common Council to perform the same, and the said Ordinance was confirmed in Parliament 27 Hen. 8. and again 37 Hen. 8. with a power given to the Lord Mayor to commit to prison any Citizen that should refuse to pay his Tythes and Dues according to that proportion. But since the Reformation, many
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men willing to think Tythes a rag of Popery, or else making no conscience of robbing God, have devised many base and fraudulent ways by double Leases, by great Fines and small Rents, and several other wayes to cheat the Law and their God, *Mal. 3. 8.* complaint whereof being made to King *James 1618.* it was declared in his Court of *Exchequer* by the Barons there, that the Inhabitants of *London*, and of the Liberties thereof, ought still (according to the aforementioned Acts) to pay 2 s. 9 d. in the pound, according to the true yearly value of the Rent of their Houses and Shops from time to time; but the Citizens (who think 2000 *l. per annum.* not enough for an Alderman or for a Lawyer, and yet 200 *l.* too much for a Pastor of a parish) opposing the same, the business lies yet unestablished, to the great dishonour of the Reformed Religion.

The Civil Government is ~~not~~ (as it is at *Paris, Rome, Madrid, Vienna,* and other Capital Cities) by a chief Magistrate, some Nobleman set over the City by the King or Supreme Governor; or, as it was here, in the time of the *Romans*, when the chief Magistrate was called (as it is still in *Rome*) the *Prefect* of *London*, or, as it was in the time of the *Saxons*, when he was called the *Portigreve*, that is, *Custos*, or *Guardian*, and sometimes *Provost* of *London*, but after the coming in of the *Normans*, the chief Magistrate was called *Bailive* (from the French word *Bailler*, *trader*,

dere, committere) that is *Commissarius*, or one that hath Commission to govern others, and there were sometimes two *Bailiffs* of *London*, till King *Rich. I. Anno 1189.* changed the name of *Bailiff* into *MAYOR*, which also, being derived from the French, hath continued ever since, a Citizen chosen by the Citizens annually, unless sometimes for the disloyalty of the Citizens, their Priviledges and Franchises have been taken from them, and a Guardian set over them, as was done by *Hen. III. and Edw. I.*

Of latter times, the Mayor of *London*, though alwayes a Citizen and Tradesman hath been of such high repute and esteem that in all writing and speaking to him, the Title of *Lord* is prefixt, which is given to none others, but either to Noblemen to Bishops, Judges, and of later times to the Mayor of *Tork*, or to some of the highest Officers of the Realm. He is also for his great Dignity usually knighted by the King, before the year of his Mayoralty be expired.

His Table is, and also the Table of each Sheriff, such, that it is not only open all the year to all commers, strangers and others, that are of any quality, but so well furnished, that it is always fit to receive the greatest Subject of *England*, or of other Potentate; nay, it is recorded, that a Lord Mayor of *London* hath feasted four Kings at once at his Table.

His domestick Attendance is very honorable, he hath seven Officers that wait on him,

him, who are reputed Esquires by their places, that is, the Sword-bearer; the Common-Hunt, who keepeth a Gallant Kennel of Hounds for the Lord Mayors Recreation abroad; the Common-Cryer, and four Water-Bailiffs. There is also the Coroner, three Sergeants Carvers, three Sergeants of the Chamber, a Sergeant of the Channel, four Yeomen of the Water-side, one Under-water Bailiff, two Yeomen of the Chamber, three Meal-weighers, two Yeomen of the Wood-wharves, most of which have their Servants allowed them, and have liveries for themselves.

His State and Magnificence is remarkable, when he appears abroad, which is usually on horse-back with rich caparison, himself alwayes in long Robes, sometimes of fine Scarlet cloth richly furred, sometimes Purple, sometimes Puke, with a great Chain of Gold about his neck, with many Officers walking before, and on all sides of him, &c. but more especially on the 29 of October, when he goes to *Westminster* in his Barge, accompanied with all the Aldermen, all his Officers, all the several Companies or Corporations in their several stately Barges, with their Arms, Colours, and Streamers; and having there in the Exchequer Chamber taken his Solemn Oath to be true to the King, returns in like manner to *Guild-Hall*, that is the great Common Hall of Guilds, or incorporated Confraternities, where is prepared for him and his Brethren a most sumptuous Dinner, to which many of the great Lords and Ladies,

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and all the Judges of the Land are invited.

This great Magistrate upon the Death of the King, is said to be the prime person of England; and therefore when King James was invited to come and take the Crown of England, Robert Lee, then Lord MAYOR of London subscribed in the first place, before all the great Officers of the Crown, and all the Nobility.

He is usually chosen on *Michaelmas-day*, out of the 26 Aldermen, all persons of great wealth and wisdom.

His Authority reaches not only all over this great City, and a part of the Suburbs, but also on the famous River of *Thames* Eastward, as far as *Tendale* or *Tenleet*, and the mouth of the River *Medway*, and Westward as far as *Colny-Ditch* above *Stanes-Bridge*. He hath power to punish and correct all that shall annoy the Stream, Banks, or Fish, onely the strength and safety of the River against an Invasion, and securing Merchandizing and Navigation by Block-houses, Forts, or Castles, is the Care of the King.

To the Lord Mayor and the City of London belong divers Courts of Judicature of high importance. The highest and most antient Court is that called the Hustings (*i. e.*) *Domus Caesarum*, which doth preserve the Lawes, Rights, Franchises, and Customs of the City. There is a Court of Requests or Conscience. The Court of the Lord Mayor and Aldermen, where also the Recorder and Sheriffs sit. Two Courts of
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the Sheriffs; one for each Counter. The Court of the City Orphans, whereof the Mayor and Aldermen have the Custody. The Court of Common-Council consisting (as the Parliament of *England*) of two Houses, one for the Lord Mayor and Aldermen, and the other for the Commoners: in which Court are made all By-laws which bind all the Citizens of *London*; for every man either by himself, or by his Representative gives his Assent thereunto, wherein consists the great happiness of the English Subject above all the Subjects of any other Prince in the World, that neither in Laws nor By-Laws, neither in Taxes or Imposts, any man is obliged, but by his own consent. There is another Court of the Chamberlain of the City, to whom belongs the Receipts of the Rents, and Revenues of the City, and to his Court the business of Apprentices, over whom he hath a great authority. To the Lord Mayor also belongs the Courts of Coroner, and of Escheator, and another Court for the conservation of the River of *Thames*. Lastly, the Court of Goal-delivery held usually eight times a year at the *Old-Baily*, both for the City and *Middlesex*, for the Tryal of Criminals, whereof the Lord Mayor is the chief Judge; and hath power of repleiving condemned persons.

There are other Courts called Ward-mote, or the meeting of Wards, whereof there are 26 in the whole City: In which Court inquiry is made into all things that can conduce to the regulating and well Go-

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verning of the City. Also the Court of Hall mote, or Assembly of every Guild or Fraternity, for regulating what belongs to each Company in particular.

The Traders of *London* are divided into Companies, or Corporations, and are so many Bodies Politique: Of these there are 12, called the chief Companies, and he that is chosen Lord Mayor must be free of one of these Companies, which are 1. Merchants, 2. Grocers, 3. Drapers, 4. Fishmongers, 5. Goldsmiths, 6. Skinners, 7. Merchant-Tailors, 8. Haberdashers, 9. Salters, 10. Ironmongers, 11. Vintners, 12. Clothworkers: All which Companies have Assembly places called Halls, which are so many Basilikes or Palaces, and many of them worthy to be viewed by all Strangers. It hath been the custom of some of our Kings, to Honour some of these Companies, by taking their Freedom thereof; and the present King was pleased to be made free of the Company of Grocers, and the present Prince of *Orenge*, lately chose to be made Free of the Company of Drapers.

There are besides near 60 other Companies, or Corporations, all enjoying large Priviledges by the Kings Gracious Charter granted unto them, and fair Halls to Meet in.

For the security and defence of this famous City and River, there have been anti-ently divers Fortresses; but that called the *Tower of London*, hath been eminent above all others. It is not only a Fort or Cittadel,

Cittadel, to defend, and command both City and River, but a Royal Palace, where our Kings with their Courts have sometimes lodged; a Royal Arsenal, where are Armes and Ammunition for 60000 Soldiers; the Treasury for the Jewels and Ornaments of the English Crown; the only Mint for coining of Gold and Silver; the great Archive where are conserved all the Records of the Court of *Westminster*; the chief Prison for the safe custody of great Persons that are *Criminals*; in short, if the great extent thereof within the Walls be considered and its authority over the several Hamlets without, and the many high Priviledges and Liberties belonging thereto, it may rather be reputed a *City* then a *Cittadel*.

The Tower of *London* is out of all County or Parish (only a small part, some hold to be in *Middlesex*) is a liberty of It self, exempt from all Taxes to the King, to the Church, or to the Poor. It hath a Parochial Church exempt from all Ecclesiastical Jurisdiction of the Arch-Bishop, and is a Donative bestowed by the King without Institution or Induction. There are Thirteen Hamlets in several Parishes, of large extent, belonging to the Tower, whose Trainbands are all bound to assist the Constable or Lieutenant of the Tower, they are all called the Kings Company, are to wait on the Kings person in time of need, and to go no farther than the King.

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Within the Tower is kept the Office of His Majesties Ordnance, which hath been alwayes an Office of great Accompt and Importance, as being the onely standing and Grand Magazine of the Principal Preparatives, Habiliaments, Utensils, and Instruments of Warr, as well by Sea as Land, for the defence and safety of the Kingdom, and consequently hath influence in the Navies, Forts, Castles, and Armies thereof: Having the superintendence, ordering, and disposing, as well of the Grand Magazine lodged in the Tower, as at the *Minoriks*, *Woolwich*, *Chatham*, *Windsor*, *Portsmouth*, *Plymouth*, *Hull*, and elsewhere; Wherein is Amunition at all times for as many Land and Sea Forces, as may not onely defend *England*, but be formidable to all our Neighbours. It is under the Government in Chief of the Master of the Ordnance, who is commonly a Person of great Eminence and Integrity, and is in *France* called *Le Grand Maistre d'Artillerie*; which word *Artillerie*, is either *ab arte telorum mittendorum*, or else as it denotes all manner of Ordnance, may possibly be derived from the *Italian Artiglio*, signifying the Talons, or Clawes of *Vultures*, *Eagles*, and such rapacious Birds of Prey, as also of *Dragons*, *Basilisks*, and *Griffons*, by which they not onely defend themselves, but tear and rend in pieces all that oppose them. Hence the several sorts of Canon seem to be denominated from such kind of Creatures, as *Falcons*, *Falconers*, *Sakers*, *Culverines*,
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from the Latine *Coluber*, signifying a Serpent, or Dragon, and Basilisks, &c.

The Place of Master General of the Ordnance is, since the death of that accomplished Gentleman Sir *William Compton*, conferred upon the eminently deserving Sir *Thomas Chicheley* Knight, under whom the Administration, and Management of the said Office is committed to these Principal Officers following, *viz.*

The Lieutenant-General, Surveyor, Clerk of the Ordnance, Keeper of the Stores, Clerk of the Deliveries, and the Treasurer and Paymaster, who all hold their Places by Patent under the great Seal.

The Lieutenant of the Ordnance, since the death of Collonel *William Legg*, is *David Watier* Esquire, Groom of His Majesties Bedchamber, whose duty is, in the absence of the Master of the Ordnance to impart all Orders and Warrants directed to the Office, and to see them duly executed, and to give Order for shooting of the great Ordnance, when required, upon Coronation-dayes, Festivals, Tryumphs, and the like; as also to see the Train of Artillery, and all its Equipage fitted for Motion upon any occasion, when it shall be ordered to be drawn into the Field.

The Surveyor is *Jonas Moore* Esquire, whose Charge it is to survey all His Majesties Ordnance, Stores and Provisions of Warr, in the Custody of the Store-keeper, which he is to see so distinguished and placed, as shall be best for their Preservation

The present State

and Safety , for a decent view, and a ready Accompt. To allow all Bills of Debt, and to keep Check upon all Labourers and Artificers Workes; and to see that all Provisions received, be good and serviceable, and duly proved with the Assistance of the rest of the Officers , and the Proofs Masters , and marked with the Kings Mark, if they ought so to be.

The Clerk of the Ordnance is *Edward Sherburne* Esquire, whose Place is to Record all Orders and Instructions given for the Government of the Office ; as likewise all Patents and Grants, and the Names of all Officers, Clerks , Artificers, Attendants, Gunners , Labourers , and others , who enjoy the said Grants, or any other Fees from the King for the same ; to draw all Estimates for Provisions and Supplies to be made, and all Letters, Instructions, Commissions, Deputations, and Contracts for His Majesties Service ; to make all Bills of Imprest, and Debentures for the Payment and Satisfaction of the respective Artificers and Creditors of the Office, for Work done, or Provisions received ; And Quarter-Books for the Sallaries , Allowances and Wages, of all Officers, Clerks , and other Ministers belonging to the said Office ; as also to keep Journalls and Leidgers of the Receipts and Returnes of all His Majesties Stores, that nothing be bought , borrowed, given, received, lent , or imployed without due Record thereof , to serve as a Check between the two Accomptants of the Office , the one for Money , the other for Stores.

The

The Store-keeper is *Richard March* Esquire, who is to take into his Charge and Custody all His Majesties Ordnance, Munitions, and Stores thereunto belonging; and to indent, and put in legal Security for the safe keeping thereof, and for making just and true Accompt from time to time; to receive no Provisions whatsoever that are manifestly unserviceable, or before they have been surveyed by the Surveyor; nor to issue any Proportion of Ordnance, Munition, or Stores, except the said Proportion be agreed upon, and signed by the Officers, according to the signification and appointment of the Master of the Ordnance, grounded upon Order of His Majesty, or Six of the Privy Council, or the Lord Admiral, for matters concerning the Navy. Nor to receive back any Stores formerly issued, untill they have been reviewed by the Surveyor, and registred by the Clerk of the Ordnance in the Book of Remains, to look that all His Majesties Store houses be well repaired, and well accommodated, and the Stores kept in such Order and Lustre, as is fit for the Service and Honour of the King.

The Clerk of the Deliveries, since the surrender of the said place by *George Wharzon* Esquire, is *Samuel Forterey* Esquire, whose special and proper duty is to draw all Proportions for Deliveries of any Stores and Provisions, and to be present at the Delivery, and by Indenture to charge the Particular Receiver of His Majesties Munition, whether Captain, Gunner, or other, and to register as well the Copies of all Warrants

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Warrants for Deliveries, as the Proportions delivered thereby to discharge the Store-keeper.

The Place of Treasurer and Pay-Master of the Office was formerly an Appendix to that of the Lieutenant of the Ordnance, but his Majesty that now is, for several Reasons, was pleased to Order, that after the Vacancy of that Charge by the death of Collonel *Logg*, the said Office of Treasurer should be no more executed by the Lieutenant, or any other Person having other Charge or Employment in the Office of the Ordnance, and accordingly hath been since pleased to erect the said Place into a Particular Office distinct from any the aforesaid Offices, and to confer the same by Patent upon *Geo. Wharton* Esquire, who now enjoys the same.

There are other subordinate Officers who likewise hold their Places by Patent, as First, The Master Gunner of *England*, Captain *Valentine Price*, who is to teach and instruct all such as desire to learn the Art of Gunnery, and to administer to every Schollar an Oath, which, beside the duty of Allegiance, bindeth him not to serve any Forrain Prince or State (without leave) nor to teach the Art of Gunnery to any but such as have taken the said Oath, and to certifie to the Master of the Ordnance the sufficiency of any Person recommended to be one of His Majesties said Gunners, and his ability to discharge the duty of a Gunner.

Secondly, The Keeper of the small Guns
Mr.

Mr. *Richard Batsbler*, who hath the Charge and Custody of His Majesties small Guns, as Musquets, Harquebuzes, Carabines, Pistolls, &c. with their Furnitures.

There are divers other inferior Ministers, Attendants, and Artificers, as the Clerks, Proofs-Masters, Messenger, Master-Smith, Master-Carpenter, Master-Wheelwright, Master-Gunsmith, Furber, and the like, which for brevity sake shall be passed over.

Yet it may not here be omitted that there is a further superintendency and jurisdiction peculiar to the Master of the Ordnance over all His Majesties Engineers, employed in the several Fortifications of this Kingdom, most of whom have their Salaries and Allowances payable in the said Office, to which they are accountable, and from whence they receive their particular Orders and Instructions, according to the Directions and Commands given by His Majesty, and signified by the Master of the Ordnance.

His Majesties Principal Engineer at present is Sir *Bernard de Gomme* Knight.

Moreover, in the Tower is kept the Office of Warden of the Mint, whereonely, of later times, is minted all the Bullion that is Minted in England.

The Warden of the Mint is a very considerable charge, and is at present Sir *Anthony St. Leger*.

Master Worker is *Henry Slingsby* Esquire, Comptroller is *James Hore* Esquire. These hold by Patent of the King.

Assay

The present State

Affay-Master to try the pureness of the Mettal, is Mr. *John Brittle*.

Surveyor of the Meltings, and Clerk of the Irons, is Mr. *Thomas Swallow*.

There is moreover, a Weigher, a Teller, and a Graver; all which five last named Officers hold also by Patent from the King, but are to be approved by the three first *Commissionated* Officers, in whose custody is all Money or Bullion brought in by the Subject.

There are besides many other Inferior Officers and Servants belonging to the Mint.

Touching the Moneys there Minted, the Gold or Silver *Coyn*, a large account hath been given in the First Part of the *Present State of England*.

The Office of His Majesties Records, kept in the *Tower of London*, is of venerable Antiquity, and the place of Keeper, and Deputy of the same, dignified with special trust, whereof Sir *Algernon May* Knight, is at present the Keeper, salary 500 *l. per annum*; and *William Ryley* Esquire of the *Inner-Temple*, is Deputy thereof.

This place is properly in the Master of the Rolls his gift; and then His Majesty by His Letters Patents, hath usually confirmed it.

As the *Chappel of the Rolls in Chancery-lane*, and *Petty-Bag* office, doth fill with Records out of other Offices, they are transmitted into the *Tower* after some years, for it hath been the wisdom and care of former Ages, to send the Records of several

ral Courts to the *Tower*; for their preservation and safety; not onely as a Policy of State, but the particular Interest of all Men, having Estates requiring it, there being many precedents for it remaining in the Records of the *Tower*; and a particular Form of a Writ to send the Records in the Chappel of the *Rolls* to the *Tower of London*. The Records of the *Tower* (amongst other things) contain the Foundations of Abbeys, and other Religious Houses, and the Records in the *Rolls* contain the dissolution of those Abbeys, and the donation of the Lands, of which many Families are now posselt; and if those Records were all in one place, the people might have access unto them, all under one and the same search and charge, which would be a great ease and benefit to the people, and a safety to the Records of this Nation.

Besides these Records at the *Rolls* being joyned to those in the *Tower*, will make a perfect continuance of all the Ancient Rights of the *English* Nation, which are now set forth in the Records of the *Tower*, whereof these following are a few heads or particulars of them, *viz.*

The Leagues of Foreign Princes, and the Treaties with them.

And all the Atchievements of this Nation in *France*, and other Foreign Parts.

The Original of all the Laws that have been Enacted or Recorded, until the Reign of Richard the Third.

The

The present State

The Homage and Dependency of Scotland upon England.

The Establishment of Ireland, in Laws and Dominions.

The Dominion of the *British Seas*, totally excluding both the *French* and *Hollander* to Fish therein, without Licence from England, proved by Records before the Conquest.

The Interest of the *Isle of Man*, and the *Isles of Jersey, Gernsey, Sark, and Alderny*; which four last are the remaining part of the *Norman* possession.

The Title to the Realm of *France*, and how obtained.

And all that the Kings or Princes of this Land, have until that time done abroad, or granted or confirmed unto their Subjects at home or abroad.

Tenures of all the Lands in England; Extents or Surveys of Mannors and Lands, Inquisitions, *post mortem*, being of infinite advantage upon tryals of Interest or Descent.

Liberties and Priviledges granted to Cities and Towns Corporate; or to private Men; as Court-Leets, Wajifs, Estrays, Mercats, Fairs, Free-waren, Pelons Goods, or what else could come to the Crown, or pass out of it.

Several Writs, Pleadings, and Proceedings, as well in *Chancery*, as in all the Courts of *Common Law*, and *Exchequer*.

Inproximus's and Inrolments of Charters and Deeds, made and done before the Con-
que st

quest, Deeds and Contracts between party and party, and the just establishment of all the Offices in the Nation.

The Metes and Bounds of all the Forests in England, with the several respective Rights of the Inhabitants therein to Common of Pasture, &c. Besides many other Priviledges and Evidences, which are too long to be here repeated or inserted

And are therefore in the Petition of the Commons of England in Parliament, *An. 46 Edw. 3. Num. 43.* said to be the perpetual Evidence of every Mans right, and the Records of this Nation, without which no story of the Nation can be written or proved.

These Records are repositied within a certain Place or Tower, called *Wakefield Tower*, adjoyning to the *Bloody Tower*, near *Traytors Gate*. There is another place called *Julian Casars Chappel* in the *White Tower*: The going up to this Chappel, is in *Cold Harbor*, Eighty four steps up, with Six or Eight great Pillars on each side, and at the upper end thereof, there was a Marble Altar; which in the late times of Rebellion, was caused to be beaten down, as a Monument of Tyranny and Superstition.

There are many Cart load of Records lying in this place, out of which, *William Prynn* Esquire, late Keeper of the same with indefatigable labor, Collected and Printed many of Publick Utility. *Anno, 1659, 1660, 1662, 1664.* in Four several

The present State

Volumes, beginning *Primo Regis Johannis*, for before that time there are no Rolls, but onely *Charta Antiqua*, or Ancient Transcripts made and done, before and since the Conquest, until the beginning of King John. Then follows his Son Henry the Third, where the first Office *Post Mortem* begins. Then there is Edward the First, Second, and Third, Richard the Second, Henry the Fourth, Henry the Fifth, Henry the Sixth, and Edward the Fourth, and the Inquisitions *Post Mortem*, of Richard the Third, who Reigned onely Three years. The Rolls of that King are in the Chappel of the Rolls in Chancery Lane.

The Rolls in the Tower are variously distinguished, viz. *Rotuli Patentium Cartarum Parliamentorum, Clausarum finium Scotia, Vasconia, Francia, Hibernia, Wallia, Normannia, Alemannia, Oblata, Liberata, Extracta, Perambulationes, Foresta, Scutag. Rotul. Marechal, Roma, de Treugis Chart. & Patent. fact. in partibus transmarinis. Patent de Domibus judaorum Protection. de Perdonation, &c. Stapula, cum multis aliis*, which are lately depicted upon the outside of every Press in the Repository belonging to each Kings Reign, and very easily to be brought forth for the use of the Client.

By a Table of Orders hanging up in the said Office, and subscribed by the Keeper thereof.

The same is to be kept open, and constantly attended for all Reporters thereto, from the hours of Seven till eleven of the Clock

Clock in the Morning, and from one till five in the Afternoon, every day of the week, except in the Moneths of *December*, *January*, and *February*, and in them, from Eight till eleven in the morning, and from One to four in the Afternoon, except on Holidays, Publick Fasting and Thanksgiving days, and times of great Pestilence.

The Governor of this great and important Fortress, being called *The Lieutenant of the Tower*, is usually a Person of great worth and fidelity, who is, *Virtute Officii*, to be in Commission of the Peace for the Counties of *Kent*, *Surrey*, and *Middlesex*. He is High Steward of a Court there held; hath a Deputy, and may refuse an *Habeas Corpus*, may give Protection to all Debtors belonging to the *Tower*, *infra Regnum Anglia*. Hath the Priviledge to take *Unam lagenam*, Two Gallions and a Pint *Ante malum & retro*, of all Wine Ships that come, and to be, as some hold, *Custos Rotulorum* of the County of *Middlesex*. His Salary is 200 *l. per annum*. His usual Fee for every Prisoner sent to the *Tower*, who are commonly Men of Estates is 20 *l.* and 3 *l.* a week for an Esquire, and 5 *l.* for a Knight. For a Baron or above 50 *l.* at entrance, to whom the King allows weekly 10 *l.* whereof two parts go to the Prisoner, the third to the Lieutenant for Lodgings and Diet; and 50 *l.* to the Lieutenant upon the Prisoners discharge.

The

The present State

The present Lieutenant of the *Tower* is Sir John Robinson Baronet.

The Gentleman Porter of the *Tower* holds his place by Patent, and at the entrance of a Prisoner, hath for his Fee *Vestimenta superiora*, or else a Composition for the same.

The Gentleman Jaylor is put in by the Lieutenant of the *Tower*, his Fee is 4*l*. s. of a Gentleman, and 5 *l*. of a Knight; Then there are Forty Warders of the *Tower*, accounted the Kings Domestick Servants, and sworn by the Lord Chamberlain of his Majesties Household, or by the Clerk of the *Cheek*.

The Moneys allowed by the King to the several Officers and Servants in the *Tower*, and for keeping in repair that huge structure, amounts to a vast sum.

Near the *Tower* is *S. Katherine's*, which hath a Royal Jurisdiction for the Ecclesiastical Causes and Probate of Wills, and belongeth to the Queen, Dr. *Bud* is Commissary; from whom, if any will appeal, it must be to the King in His Court of *Chancery*, who thereupon issueth out a Commission under the Great Seal, as in Appeals from the *Arches* or *Prerogative*.

The next thing remarkable in the City of *London*, may be the *Bridge*, which for admirable Workmanship, for vastness of Foundation, for all Dimensions, and for solid stately Houses, and rich Shops built thereon, surpasseth all others in *Europe*

rope; it hath Nineteen Arches, founded in a deep broad River, and some say on a soft, ozy Ground; is Eight hundred Foot in length, Sixty high, and Thirty broad; hath a Draw Bridge almost in the middle, and Twenty Foot between each Arch; it was built Anno 1209. in the Reign of King John. The first Stone bridge in England, having been built above One hundred years before, by Queen Maud, Wife to Henry the First at Stratford on the River Lee, Three miles from London; so called from the Highway there passing over a Ford, and since called Stratford Bow, from the Arched Bridge, a piece of Architecture then new to the English Nation.

The Building of this Bridge of London, was an exceeding difficult and costly piece of Work, and to those that consider the constant great Flux and Reflux at that place, it seems, almost impossible to be done again. The charges of keeping it in repair, is so great, that it hath been thought fit by our Ancestors to have a large House, a vast Revenue in Lands and Houses, divers considerable Officers, &c. to be set apart for the constant care and repair thereof.

Con-

Concerning this *Bridge*, and the stupendious site and structure thereof; take here the fancy of an ingenious Person deceased.

Vhen Neptune from his Billows
 London spi'd,
 Brought proudly thither by a High Spring
 Tide.
 As through a Floating Wood he steer'd a-
 long.
 And moving Castles cluster'd in a throng.
 When he beheld a mighty Bridge give law,
 Unto his Surges, and their fury aw:
 When such a Shelf of Cataracts did roar,
 As if the Thames with Nile had chang'd
 her shoar.
 When he such Massie Walls, such Towers did
 eye,
 Such Posts, such Irons, upon his back to lie,
 When such vast Arches he observ'd, that
 might,
 Nineteen Rialto's make, for depth and
 height.
 When the Cerulean god these things sur-
 vey'd,
 He shook his Trident, and astonish'd said,
 Let the whole Earth, now all her Wonders
 count.
 This Bridge of Wonders is the Paramount.

Not

Not far from this wonderful *Bridge* is the fatal place, where the dreadful Fire aforementioned first began, near which is now erecting (as was ordered by an Act of Parliament, immediately after the Fire) a Pillar in perpetual memory thereof, it will be of the *Dorick* order, 170 foot high, all of solid *Portland Stone*, with a stair case in the middle of black Marble, with an Iron Balcone on the top, not unlike those two antient White Marble Pillars at *Rome*, erected in Honour of the Emperors *Trajan* and *Antoninus*, those two excellent Princes; they were there built above 1500 years ago, and are still standing entire. The Pedistal of our Pillar is also all of *Portland Stone*, and is 43 foot square.

Not far below this famous Bridge is placed the *Custom House*, where is received and managed all the Impositions laid on Merchandise Imported or Exported from this City, which are so considerable, that of all the Customs of *England*, divided into three parts, the Port of *London* pays Two thirds, that is above 330000 *l.* yearly. In this Office there are employed many persons of great ability and worth, Collectors, Customers, Comptrollers, Surveyors, Registers, whereof some have Salaries of 500 *l.* yearly, besides many perquisites.

The House where this great Office was kept, being destroyed by the late Fire, is now rebuilt in a very much more magnificent, uniform, and commodious manner
by

by the King, and hath cost His Majesty 1000 l. the building.

There are at present within this City of London, divers other very considerable Offices, whereof take the account following.

Of the Office of Post-Master General.

THe Profits of the said Office are settled by Act of Parliament, on his Royal Highness the Duke of York; but his Majesty doth constitute his Post-Master General by Letters Patents under the great Seal of England; and accordingly hath conferred that Office upon the Right Honorable Henry Lord Arlington, his Principal Secretary of State.

The present Post-master General keepeth one Grand or Generall Office in the City of London, from whence, Letters and Pacquets are dispatched.

Every Monday to France, Italy, Spain, Flanders, Germany, Sweden, Danemark, &c. and to Kent.

Every Tuesday to the United Netherlands, Germany, &c. And to all parts of England, Scotland, and Ireland.

Every Wednesday to Kent onely, and the Downs.

Every Thursday, to France, spaine, Italy, and all parts of England and Scotland.

Every

Every Friday to the *Spanish and United Neatherlands, Germany, Sweden, Denmark, and to Kent.*

Every Saturday to all parts of *England, Scotland, and Ireland.*

And the Answers of the said Letters and Pacquets, are received in the said Office in due Course; And from thence dispersed, and delivered according to their respective directions, with all expedition.

The said Office is managed by a Deputy, and other Officers, to the number of Seventy seven persons; who give their actual attendance respectively in the dispatch of the business.

Upon this Grand Office depends One hundred eighty two Deputy Post-Masters in *England and Scotland*; most of which, keep Regular Offices in their Stages, and Sub-Post Masters in their Branches; and also in *Ireland*, another General Office for that Kingdom, which is kept in *Dublin*, consisting of Eighteen like Officers, and Forty five Deputy Post-Masters.

The present Post-Master General keeps constantly for the transport of the said Letters and Pacquets.

Between England and	{	<i>France</i> Two Pac-
		quet-Boats.
		<i>Flanders</i> Two Pac-
		quet-Boats.
		<i>Holland</i> Three Pac-
		quet-Boats.
		<i>Ireland</i> , Three Pac-
		quet-Boats.

And

And at Deal, Two Packquet-Boats for the Downs.

All which Officers, Post-Masters, Packquet-Boats, are maintained at his own proper charge.

And as the Master piece of all those good regulations, established by the present Post-Master General, for the better government of the said office, he hath annexed and appropriated the Market Towns of England, so well to the respective Post-stages, that there is no considerable Market-Town, but hath an easy and certain Conveyance for the Letters thereof to and from the said grand office, in the due Course of the Mailes every Post.

Note also, that all Letters are conveyed with more expedition and less charges then in any forreign Country.

A Letter containing a whole sheet of Paper is conveyed 80 miles for 2 d. 2 sheets 4 d. and an ounce of Letters but 8 d. and that in so short a time by night as well as by day, that every 24 hours, the Post goes 120 miles, and in 5 days, an answer of a Letter may be had from a place 300 miles distant from the Writer. Moreover if any Gentleman desires to ride Post to any Principal Town of England, Post-Horses are alwayes in readinels (taking no Horse without the consent of his owner) which in other Kings Reigns was not duly observed; and onely 3 d. is demanded for every English mile, and for every Stage to the Post boy 4 d. for conducting.

Besides this excellent convenience of conveying Letters and Men on Horseback, there is of late such an admirable commodiousnes both for Men and Women of better rank to travel from *London*, to almost any great Town of *England*, and to almost all the Villages near this great City, that the like hath not been known in the World, and that is by Stage Coaches, wherein one may be transported to any place, sheltered from foul weather and foul ways, free from endamaging ones health or body by hard jogging; or over violent motion, and this not onely at a low price, as about a shilling for every 5 miles, but with such velocity and speed, as that the Posts in some forreign Countries make not more miles in a day, for the Stage Coaches called flying Coaches make Forty or Fifty miles in a day, as from *London* to *Oxford* or *Cambridge*, and that in the space of Twelve hours, not counting the time for Dining, setting forth not too early, and coming in not too late. This Office is now kept in *Bishopsgatestreet*.

Of the Kings great Wardrobe.

THIS Office was usually kept within the City, near *Puddle Wharfe*; in an antient House built by Sir *John Beauchamp*, Son to *Guy de Beauchamp*, Earl of *Warwick*, and afterward sold to King *Edward the Third*.

The Master or Keeper of the Great Wardrobe

M

drobe

drobe is an Office of great Antiquity and Dignity.

High Priviledges and Immunities were conferred by *Henry the Sixth*, and confirmed by his Successors, King *James* enlarged the same, and ordained that this Great Officer should be an Incorporation or Body Politique for ever.

His Office is to make Provisions for Coronations, Marriages, and Funerals, to furnish the Court with Beds, Hangings, Carpets, and other necessities; to furnish Houses for Ambassadors at their first arrival here; Presents for Foreign Princes and Ambassadors, Cloaths of Estate, and other furniture for the Lord Lieutenant of *Ireland*, Lord President of *Wales*, and all his Majesties Ambassadors abroad, to provide all Robes for Foreign Knights of the Garter, for the Officers of the Garter, Coats for Herálds and Pursuivants at Arms, Robes for the Lord Chancellour, Lord Treasurer, &c. Rich Liveries for the two Lords Chief Justices, all the Barons of the Exchequer, divers Officers in those Courts: all Liveries for his Majesties domestick Servants: all Linnen for the Kings person, &c.

To defray all the forementioned charges, ordinarily there is expended yearly, about twenty five thousand pounds, besides all Extraordinaries, as Coronations, Funerals, &c.

This Office is at present enjoyed by *Edward Montague* Earl of *Sandwich*, one of His Majesties most Honourable Privy Coun-

Coun-

T
city,

Council, and Knight of the most Noble Order of the Garter.

The present Salary to his Lordship in compensation of all other antient Fees and Allowances is yearly 2000 *l*.

The said House near *Puddle Wharfe* was long ago annext for ever to the Master of this Office; but since the great Fire this Office is kept in the *Savoy*.

The chief Officers under the Master are, a Deputy, *Thomas Townesend Senior*, Esq; his Salary 200 *l*. and a Clerk, *Thomas Townesend Junior*, Esq; whose Salary in compensation of all Fees and Allowances is yearly 300 *l*.

Both these Officers had likewise fair dwelling houses, which were also consumed by the fire.

Belonging to this Office are divers Tradesmen, Artificers, and others, to the number of about 40. all sworn Servants to the King.

To this Office have lately been added by Patent, during pleasure, two considerable Officers, viz. a Controulor, *Andrew Newport* Esquire, Brother to the Lord *Newport*; and a Surveyour, Colonel *Bullen Reymes*, whose Salaries are 300 *l*. yearly to each one.

Of the Colledges in London.

THE Famous City of LONDON may not unfitly be stiled an University, for therein are taught all Liberal Arts

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and Sciences, not onely Divinity, Civil Law, Physick, which in other Universities are usual, are read Here, but also the Municipal or Common Law of the Nation is here taught, and Degrees taken therein, which can be said in no other Nation: Moreover, all sorts of Languages, Geography, Hydography, the Art of Navigation, the Art of Fortification, Anatomy, Chirurgery, Chymistry, Calligraphy, Brachygraphy, or Short hand, the Arts of Riding, Fencing, Dancing, Art Military, Fire-works, Limning, Painting, Enamelling, Sculpture, Architecture, Heraldry, all sorts of Musick, Arithmetick, Geometry, Astronomy, Grammar, Rhetorick, Poetry, and any other thing that may any way contribute to the accomplishment of an ingenious Nobleman or Gentleman.

The Colledges of Municipal or Common-Law Professors and Students, are 14 called still *Innes*, the old English word for Houses of Noblemen or Bishops, or of extraordinary note, and which is of the same signification with the French word *Hôtel* at *Paris*.

There are two Inns of Sergeants, Four Inns of Court, and Eight Inns of Chancery.

The Inns of Chancery were probably so named, because there dwelt such Clerks as did chiefly study the forming of Writs, which regularly appertain to the Curfitors that are Officers of Chancery.

cery. The first of these is called *Thavies* Inn, begun in the Reign of *Edward* the Third, and since purchased by *Lincolns* Inn, as was also *Furnivals* Inn, then there is *Bernards* Inn, *New* Inn, *Clements* Inn, *Cliffords* Inn, antiently the House of the Lord *Clifford*; *Staple* Inn belonging to the Merchants of the *Staple*; and *Lyons* Inn, antiently a common Inn with the Sign of the *Lyon*.

These were heretofore preparatory Colledges for younger Students, and many were entred here, before admitted into the Inns of Court.

Now they are for the most part taken up by Attorneys, Sollicitors and Clerks, who have here their Chambers apart, and their Dyet at a very easie rate in a Hall together, where they are obliged to appear in grave long Robes, and black round knit Caps. These Colledges belong all to some Inns of Court, who send yearly some of their Barresters to read to these. In these Inns of Chancery one with another, may be about Sixty persons.

The Innes of Court were so named, as some think, because the Students therein are to serve the Courts of Judicature; or else because antiently these Colledges received onely the Sons of Noble men, and better sort of Gentlemen, as *Forrescue* affirmeth.

The present State

Of these there are Four: First, The *Two Temples*, heretofore the dwelling of the Knights Templers, and purchased by some Professors of the Common Law, above three hundred years ago. They are called the *Inner* and *Middle Temple*, in relation to *Essex House*, which was a part of the Knights Templers, and called *The Utter Temple*, because it is seated without *Temple Bar*.

The two other Inns of Court are *Lincolns Inn*, belonging anciently to the Earls of *Lincoln*; and *Greys Inn* belonging to the Noble Family of the *Greys*.

In the Reign of *Henry the Sixth*, they so flourished, that there were in each of these about Two hundred Students, and a Student then expended yearly about 20 *l*, Which was as much as Two hundred pounds now; for they had usually (as the *French Nobles* have now in their Academies) every one an old discreet Servant, and divers Masters for to instruct them in all laudable qualities; and therefore, saith the same *Fortescue*, *Ultra, Studium legum; sunt quasi Gymnasia omnium morum*. And the Students were onely, saith he, *Nobilium Filii*, that is, Gentlemen at least, for so the word *Nobilis* was then taken here and is still in *France*; And therefore by command of King *James* none were to be admitted into these Colledges, but Gentlemen by descent. Our Ancestors thought those of inferior rank, would rather debase the honor of the Law, and would be prone
to

to *cheat*, or play tricks, and not like to be so fit for Trusts and Honors, whereas the consideration of Birth and Fortune, makes Men more careful of their Honor and Reputation.

These Societies are no Corporations, nor have any Judicial power over their Members, but have certain Orders among themselves, which have by consent the Force of Laws: For lighter offences they are only excommunicated, or put out of Commons, not to eat with the rest; and for greater offences they lose their Chambers, and are expelled the Colledge; and being once expelled, they are never received by any of the three other Societies. Which deprivation of Honor to young generous Spirits, is more grievous then perhaps deprivation of life.

These also, when they meet at Chappel or Hall, or at Courts of Justice, wear a grave black Robe and Cap, at other times walk with Cloak and Sword.

There are no Lands or Revenues belong to these Societies, which being no Corporations, are not enabled to purchase, nor have they any thing for defraying the charges of the House, but what is paid at Admittances, and Quit-Rents for their Chambers.

The whole Company of Gentlemen in each Society, may be divided into Four parts, Benchers, Utter Barristers, Inner Barristers and Students.

Benchers are the Seniors, to whow is
M 4 committed

committed the Government, and ordering of the whole House; and out of these, is chosen yearly a Treasurer, who receiveth, disburseth, and accounteth for all Moneys belonging to the House.

Utter Barristers are such, as, For their Learning and Standing, are called by the Benchers to plead and argue in the Society doubtful Cases and Questions, which are called *Moots* (from meeting the old *Saxon* word for the *French Assemble*, or else from the *French Mot* a word.) And whilest they argue the said Cases, they sit uttermost on the *Formes* or *Benches*, which they call the *Bar*.

Out of these Mootmen are chosen Readers for the *Inns of Chancery*, belonging to the *Innes of Court*, whereof they are Members; where in Term-time, and grand Vacations they argue cases in the presence of Attorneys and Clerks.

All the rest are accounted Inner-Barristers, who for want of Learning or Time, are not to argue in these Moots; and yet in a Moot before the Benchers, two of these Inner Barristers sitting on the same Form with the Utter-Barristers, do for their Exercises recite by heart the pleading of the same Moot-Case in *Law-French*; which Pleading is the Declaration, at large, of the said Moot-Case; the one taking the part of the Plaintiff, and the other of the Defendant.

The year also amongst them, is divided into three parts, The Learning Vacation, the Term-times, and the dead or mean Vacation.

They

They have two Learning Vacations, viz. Lent-Vacation, which begins the first Monday in *Lent*, and continueth three weeks and three dayes; and Summer Vacation, which begins Monday after *Lammas-day*, and continueth also three weeks and three dayes. In these Vacations are the greatest Conferences and Exercises of Study, in manner following.

The Benchers appoint the eldest Utter-Barrester to read amongst them openly in the Hall, whereof he hath notice half a year before. He then, the first day about eight of the Clock makes choice of some Act or Statute, whereupon he grounds his whole Reading for that Vacation, and declares such mischiefs and inconveniencies as were unprovided before the same Act, and now are provided by the said Act, and then reciteth certain Doubts and Questions, which he hath devised, that may grow upon the said Statute, and declareth his Judgment therein: After which, one of the younger Utter-Barresters repeateth one Question propounded by the Reader, and doth by way of Argument labor to prove the Readers opinion to be against Law, and after him, the Senior Utter-Barrester and Readers, one after another, according to Seniority, do declare their Opinions and Judgments in the same: And then the Reader, who did put the Case, endeavoureth to confute Objections laid against him, and to confirm his own Opinion: After which, the Judges and Sergeants, if any

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be present, declare their Opinions; then the youngest Utter Barrester again rehearseth another Case, which is prosecuted as the former was. And this Exercise continueth daily about Three or four hours.

Out of those who have read once in the Summer Vacation, and are Benchers, is chosen always one to read in *Lent*, who observes the like manner of Reading, as before is expressed.

Out of these Readers usually the Sergeants are chosen.

The manner of Mooting in the Innes of Court, is thus.

IN these Vacations after Supper in the Hall, or, after Drinking on Fasting-nights, the Reader with one or two of the Benchers comes in, to whom one of the Utter-Barresters propounds some doubtful Case; which being argued by the Benchers, and lastly, by him that moved the Case, the Benchers sit down on the Bench, at the upper end of the Hall, whence they are called *Benchers*: And upon a Form, in the middle of the Hall, sit two Inner Barresters; and on both sides of them, on the same Form, sitteth one Inner Barrester, who doth in *Law French* declare to the Benchers (as Sergeants do at the Bar in the Kings Courts to the Judges) some kind of Action; the one being, as it were, retained for the Plaintiff, and the other
for

for the Defendant: Which ended, the two Utter Barresters argue such Questions, as be disputable within the Case. After which, the Benchers do likewise declare their Opinions, how they take the Law to be in those Questions.

In these Mootings, the Junior always argueth first, as is used amongst the Judges in the *Exchequer Chamber*, and amongst the Sergeants in open Courts of Judicature. The Inner and Utter Barrister plead here in *Law French*, and the Benchers in *English*; and at the Readings the Readers Cases are put in *English*.

Mootings in the Inns of Chancery, are thus.

IN the Learning Vacations, each Utter Barrester, who is a Reader in the Inns of *Chancery*, go with two Students of the same Inn of Court, to the Inn of Chancery, where he is appointed to Read, and there meet him commonly two of each Inns of Court, who sitting as the Benchers do in the Inns of Court at their Moots, they hear and argue his Case.

In the Four Inns of *Chancery* that are situated in *Holborn*, the Moots are read, either by those of *Greys Inn* or *Lincolns Inn*, the others by the Two Temples.

In Term time, the lonely Exercises of Learning, is arguing and debating Cases, after Dinner, and Mooting after Supper,
in

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in the same manner as in the Vacation time.

The time between the learning Vacations and Terms, is called the mean Vacation, during which time every day after Dinner, Cases are argued, as at other times; and after Supper, Mootes are brought in and pleaded by the Inner-Barresters, in the presence of the Utter-Barrester, which sit there in the Room of the Benchers, and argued by them, as the Benchers do in Term-time and learning Vacation.

The Manner of keeping a Christmas in any of the Innes of Court, thus.

THe Students hold a Parliament before *Christmas*, and in case there be in *London* no Pestilence, and that the House is furnished with such a number of Students, and of such quality as are meet to keep a solemn *Christmases*; then are chosen and appointed certain of the Students to be Officers, in imitation of the Kings Court, as Comptroller, Treasurer, &c. These bear rule in the House during the whole time of *Christmases*; and are to behave themselves in that Port, Gravity, and Authority, as if they were so in the Kings House, that so hereafter they may know

know the better to behave themselves, in case they should be promoted to that Honour: for these Gentlemen are usually of such quality, as come not hither with intent to profess the Law but to learn so much Law, as may be necessary to preserve their Estates, and to make themselves accomplished in other qualities, necessary for Gentlemen.

At such time. they have here divers divertisements, as Feasting every day, singing, Dancing, Musick, which last is allowed there to all Comers, and is so excessive, that what the Dicers allow out of each winning to the Butlers box, usually amounts to above 50 l. a day and night, wherewith, and a small contribution from each Student, are the great charges of the whole Christmas defrayed.

Sometimes, when their publick Treasury is great, they create a Prince among themselves, with such Title as they please to give him, and he hath all his Officers, and a Court sutable to a great Prince, and many of the prime Nobility and great Officers of State, are feasted, and entertained by him with Enterludes, &c.

From *All-Saints* day to *Candlemas*, each House usually hath Revels on Holy-dayes, that is, Musick and Dancing; and for this is chosen some young Student to be Master of the Revels.

Note, That the manner of their Parliament is briefly thus;

Every

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Every Quarter commonly, the Benchers cause one of the standing Officers of the House to summon a Parliament, which is only an Assembly and Conference of Benchers and Utter Baristers, which are called the Sage Company, and meet in a place called the Parliament Chamber, and there Treat of such Matters, as shall seem expedient for the good ordering of the House, and the Reformation of such things as they shall judge meet to be Reformed, Here are the Readers for Lent and Summer vacation elected, also the Treasurer is here chosen, and the Auditors appointed to take the Accounts of the old Treasurer, &c. Here offences committed by any of the Society are punished, &c.

These Innes of Court are most wisely situated by our Ancestors, between the Kings Courts of Judicature, and the most opulent City of London.

In the four Innes of Court are reckoned about 800 Students.

Lastly, there are two more Colledges called Sergeants Inn, where the Common-Law Student, when he is arrived to the highest degree, hath his Lodging and Dyet. These are called *Servientes ad Legem*, Sergeants at Law, and are as Doctors in the Civil Law, only these have heretofore been reputed more Noble and Honourable. *Doctoris enim appellatio est Magisterii, Servientis vero Ministerii*, and therefore Doctors of Law are allowed to sit within the Bar in Chairs, and covered, whilst Sergeants

ants stand without the Bar bare-headed ; only with Coiffs or Caps on.

To arrive to this high Degree, take this brief account.

The young Student in the *Common Law* ; being born of a Gentile Stock, and bred two or three years in the University , and there chiefly versed in Logick and Rhetorick, both expedient for a Lawyer, and gotten some insight into the *Civil-Law*, and some skill in the French Tongue, as well as Latin , he is admitted to be one of the Four Innes of Court, where he is first called a Moot-man , and after about Seven years study , is chosen an Utter-Barrister, and having then spent Twelve years more, and performed the Exercises before mentioned , he is chosen a Benchet , and some time after a Reader : during the Reading which heretofore was Three weeks and Three dayes , the Reader keeps a constant and sumptuous Feasting, inviting the chief Nobles, Judges, Bishops, great Officers of the Kingdom, and sometimes the King himself (as that most accomplished Lawyer, the present Attorney General did) that it costs them sometimes 800 or 1000 *l*. Afterward he wears a long Robe, different from other Barristers, and is then in a capacity to be made a Sergeant at Law, when His Majesty shall please to call him, which is in this manner.

When the number of Sergeants is small, the Lord Chief Justice of the *Common Pleas*, by the advice and consent of the other

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other Judges, make choice of Six or Eight, more or less, of the most Grave and Learned of the Innes of Court, and presents their Names to the Lord Chancellor or Lord Keeper, who sends by the Kings Writ, to each of them to appear on such a day before the King, to receive the State and Degree of Sergeant at Law; at the appointed time, they being habited in Robes of two colours, *viz.* Brown and Blew; come accompanied with the Students of the Innes of Court, and attended by a train of Servants and Retainers, in certain peculiar cloth Liveries, to *Westminster-Hall*, there in publick take a Solemn Oath, and are clothed with certain Robes and Coyfs, without which they may no more be seen in publick; after this they Feast the Great Persons of the Nation, in a very magnificent and Princely manner, give Gold Rings to the Princes of the Blood, Arch-bishops, Chancellor and Treasurer, to the value of Forty shillings each Ring: to Earles, Bishops, Rings of Twenty shillings: to other great Officers, to Barons, great Prelates, &c. Rings of less value.

Out of these are chosen all the Judges of the Kings Bench and Common-Pleas, wherefore all those Judges do alwayes wear the white Linnen Coyse, which is the Principal Badge of a Sergeant, and which he had ever the Priviledge to wear at all times, even in the Kings presence, and whilst he spake to the King, though anti-
ently it was not permitted to any Subject
to

to be so much as capped in the Presence of the King of *England*, as at present it is not allowed in the presence of the Pope, or of the Emperour.

When any of the afore-mentioned Judges are wanting, the King by advice of His Council, makes choice of one of these Sergeants at Law, to supply his place, and constitutes him by Letters Pattents, Sealed by the Chancellor, who sitting in the middle of the rest of the Judges in open Court, by a set Speech declares to the Sergeant (that upon this occasion is brought in) the Kings Pleasure, and to the people, the Kings goodness, in providing the Bench with such able honest men, as that Justice may be done expeditely and impartially to all His Subjects, and then causes the said Letters Pattents to be read; and being departed, the Chief Justice places the said Sergeant on the Bench, *junior* of all the rest; and having taken his Oath well and truly to serve the King and His people in the Office of Justice, to take no reward, to do equal and speedy Justice to all, &c. he sits himself to the Execution of his Charge.

The Sergeant being thus advanced to be a Judge, hath thereby great Honour, and a very considerable Salary, besides certain perquisites, for each one hath at least One thousand pound a year from the King; and now in some things, his former habit of a Sergeant is altered, his long Robe and Cap, his Hood and Coif are the same, but there is besides, a Cloak put

put over him and closed on his right shoulder, and in stead of a *Caputium* lined with Lambskin, now a *Caputium* lined with Missever, or *de Minuto vario*, divers small pieces of white rich Farre.

Note, That to the two Sergeants Innes belong the Twelve Judges, and about Twenty six Sergeants.

Antiently, the Fee expected by a Sergeant from his Client for Advice given at his Chamber, or for pleading in any Court of Judicature, was no more then Twenty shillings, and the Fee of a Barrister Ten shillings, (which yet is much more then is usually given in any of our Neighbour-Nations at this day) but at present, it is become almost ordinary, to give some Sergeants Ten pound, and sometimes Twenty pound, and to a Barrister half as much, at the hearing of any considerable Cause, whereby it comes to pass, that some Lawyers in one year gain in Fees Three thousand pounds, and some Four thousand pounds, and in few years purchase Estates fit for Lords, and sometimes live to see themselves advanced to be Peers of the Realm, as the late Lord Keepers, *Coventry*, *Finch*, and others.

Now all these forementioned Innes, or Colledges for the Students in our *Common-Law*, being not far distant one from another, do make the most famous Profession of the Law that is in the World; and it will be a very difficult thing to find in any one Forreign University, so many Students

dents of the Law, that are of that ripe age past *Childhood*, and of that high quality, most Gentlemen, and a considerable number of the Sons of the higher Nobility.

*of the Colledge of Civilians,
called Doctors Commons.*

Although Degrees in the *Civil Law* may be had onely in *Oxford* and *Cambridge*, and the Theory best there to be acquired; yet the Practice thereof is most of all in *London*, where a *Colledge* was long since purchased by *Dr. Henry Harvey*, Dean of the Arches for the Professors of the *Civil Law* in this *City*; and where commonly did reside the Judge of the Arches, the Judge of the Admiralty, and the Judge of the Prerogative Court, with divers other eminent *Civilians*, who there living (for Diet and Lodging) in a *Collegiate* manner, and *Commoning* together, it was usually known by the name of *Doctors Commons*, and stood near *St. Pauls*, in the Parish of *St. Bennets Pauls-Wharfe*; which being consumed by the late dreadful Fire, they now all reside at *Exeter-House* in the *Strand*, in the same manner (untill their House be rebuilt) and keep there their several Courts and Pleadings every Term, which begins and

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and ends almost at the same time with the Term at *Westminster*.

The chief Court of the Archbishop, is that of the Arches, whereof see more in the Chapter of the *Eccelesiastical Government of England*.

The Principal, Official, or Judge of this Court is stiled *Dean* of the *Arches*, and is at present Sir *Giles Sweir* Knight, Doctor of Laws.

He sitteth alone without any Assessors; and heareth and determineth all Causes, without any Jury of Twelve Men, as is necessary in Common Law Courts.

To this Court belongeth an Actuary, a Register, and a Beadle.

The Office of the Actuary is to attend the Court, set down the Judges Decrees, Register the Acts of the Court, and send them in Books to the Registry. This Office is enjoyed by *John Clements*, Batchelor of Laws, and Publick Notary.

The Register of the Court is another of the same name, whose Office is by himself, or Deputy to attend the Court, receive all Libels or Bills, Allegations and Exhibets, examines all Witnesses, Files all Sentences, and keeps the Records of the Court.

The Beadle attends the Court, carrieth a Mace before the Judge, and calls the Persons cited to appear.

Those that are allowed to be Advocates, and plead in this Court, are all to be Doctors of the Civil Law, in one of our English *Universities*; who upon their Petition to the Archbishop of *Canterbury*, and his

his *Fiat* obtained, are admitted by the Judge of this Court, upon condition not to practice for one whole year, after such admittance.

The manner of their Admittance is thus, The Two Senior Advocates in their Scarlet Robes, with the Mace before them conduct him up to the Court, with three low Reverences, and present him with a short Latin Speech; and the Rescript of the Archbishop: Then the Oaths of Allegiance, Supremacy, and some other prescribed in the Statute of the Arches, being taken, he is admitted by the Judge, and a place or seat in the Court assigned unto him, which he is alwayes to keep when he pleads.

The Judge, and all the Advocates, in this Court, alwayes wear their Scarlet Robes, with Hoods lined with Taffata, if they be of Oxford; or White Minever Fur, if of Cambridge; and all round, Black Velvet-Caps.

Here followeth a Catalogue of the Names of all the Advocates, according to Seniority, not Precedence.

DOctor Martin.
Dr. Heath.

Dr. King, Chancellor of Ely.

Dr. Lewen, Knight. Master of Chancery.

Dr.

- Dr. *Aldern*, Chancellor of *Rocheſter*.
 Dr. *Wiſeman*, Knight. Kings Advocate.
 Dr. *Chaworth*, Knight. Vicar-General to
 the Archbiſhop of *Canterbury*.
 Dr. *Walker*, Knight. Advocate to the Lord
 High-Admiral.
 Dr. *Pepys*.
 Dr. *Mills*, Chancellor of *Norwich*.
 Dr. *Crusoe*.
 Dr. *Baldwin*, Knight. Maſter of *Chancery*,
 and Chancellor of *Worceſter* and *Here-*
ford.
 Dr. *Nicholſon*, Chancellor of *Gloceſter*.
 Dr. *Lowen*.
 Dr. *Wake*, Chancellor of *Peterborough*.
 Dr. *Watkinſon*.
 Dr. *Birkenhead*, Knight. Maſter of Re-
 queſt, and Maſter of the *Faculties*.
 Dr. *Warren*.
 Dr. *Bud*, Commiſſary of *Huntingdon*.
 Dr. *Aldworth*, Chancellor of *Oxford*.
 Dr. *Foner*.
 Dr. *Exton*, Chancellor of *London*.
 Dr. *Hughs*.
 Dr. *Lloyd*, Commiſſary of *Weſtmiſter*.
 Dr. *Boucher*.
 Dr. *Muſters*, Chancellor of *Exeter*.
 Dr. *Clark*, Profeſſor of Law in *Cambridge*.
 Dr. *Leightron*, Knight.
 Dr. *Digby*.
 Dr. *Low*.
 Dr. *Trumbal*.
 Dr. *Falconbridge*.
 Dr. *Pinfold*, Official of the Archdeacon of
London.

Dr.

Dr. Elliot, Chancellor of Salisbury.

Dr. Rains.

Dr. Briggs, Chancellor of Chichester.

Dr. Oldys.

Dr. Meale.

There are divers other Civilians, whereof some, not Advocates of this Court, are Chancellors to Bishops, or Commissaries; as

Sir Mundisford Bramstone, Knight, Doctor of Laws, and Chancellor of Winchester.

Dr. Burrell, Chancellor of Durham.

Sir Edward Lake Knight, Doctor of Laws, and Chancellor of Lincoln.

Dr. Dean, Chancellor of Bath and Wells.

Dr. Wainwright, Chancellor of Chester.

Dr. Jones, Chancellor of Bristol.

Chancellor of Carlisle, Rowland Nicols, B. D.

Mr. Ambrey, Chancellor of S. Davids.

Dr. Pennington, Chancellor of Bangor.

Dr. Powell, Chancellor of St. Asaph.

Here note, That before the Vicar-General or Chancellors of the Bishops, are Tryable all Ecclesiastic Causes within their respective Diocesses, except Letters of Request are granted by the Diocesan Bishop to the Party, to sue in the Court of Arches, which is ordinary.

Note

Note also, That the *Vicars-Generals* and *Chancellors*, are appointed by the respective *Arch-bishops* and *Bishops*, by *Letters Patents* under their *Seals*, and confirmed by the *Dean* and *Chapter* of the respective *Cathedrals*; before which Confirmation, those places are *Durante bene placito*.

The *Proctors* belonging to this Court aforementioned, are persons that exhibit their *Proxies* for their *Clients*, and make themselves parties for them, and draw and give in *Pleas* or *Libells* and *Allegations*, in the behalf of their *Clients*, produce the *Witnesses*, prepare the *Causes* for *Sentence*, and attend the *Advocates* with the *Proceedings*.

They are also admitted by the *Fiat* of the *Archbishop*, introduced by the Two *Senior Proctors*, and are allowed to practise immediately after their admission; they wear *Black Robes* and *Hoods* lined with *White Fur*.

According to the *Statutes* of this Court, all *Arguments* made by *Advocates*, and all *Petitions* made by the *Proctors*, are to be in the *Latin Tongue*.

All *Process* of this Court, run in the name of the *Judge*, thus. *Egi. Sweit, Miles, LL. Dr. Alma Curia Cant. de Arcubus Lond. Officialis Principali*; and returnable before him heretofore in *Bow-Church*; now in the *Common Hall* at *Exeter House*.

The

The Places and Offices belonging to this Court, are all in the gift of the Archbishop of Canterbury, whose Court it is.

Here note, That the next morning after the sitting of this Court, the Judge of the Court of Audience did usually sit, but since the late Troubles, that Court hath been discontinued.

Next is the Court of *Admiralty*, whereof see more in Chapter of the *Military Government*.

The present Judge of this Court is Sir *Leolin Jenkins*, Knight, Doctor of Laws, whose Title is *Suprema Curia Admiralitatis Angliæ locum tenens Judex sive præfident*. The Writs and Decrees run in the name of the Lord High Admiral, and are directed to all Vice-Admirals, Justices of Peace, Majors, Sheriffs, Bailiffs, Constables, Marshals, and others, Officers and Ministers of our Sovereign Lord the King, as well within Liberties, as without.

To this Court belongs a Register, *Orlando Gee*, Esquire; a Marshal, who attends the Court, and carries a Silver Oar before the Judge, whereon are the Arms of the King, and of the Lord High Admiral.

The Lord Admiral hath here his Advocate and Proctor, and all other Advocates and Proctors are presented by them, and admitted by the Judge,

This Court is held on the same day with the Arches, but in the afternoon, and heretofore at *St. Margarets-Hill* in *Southwark*, but now in the same Common-Hall at *Exeter House*. But the Admiralty Session is still held, for the Tryal of Malefactors, and Crimes committed at Sea, at the antient place aforesaid.

The places and Offices belonging to this Court, are in the Gift of the Lord High Admiral.

Next, is another Court belonging to the Archbishop of *Canterbury*, called the *Prerogative Court*, whereof see more in the Chapter of the *Ecclesiastical Government* of *England*.

The Judge of this Court is the forenamed *Sir Leolin Jenkins*, and his Title here is, *Curia Prærogativa Cant. Magister, Custos, five Commissarius*.

All Citations and Decrees run in the name of the Archbishop.

This Court is kept in the same Common-Hall in the afternoon, next day after the Arches, and was heretofore held in the Consistory of *St. Pauls*.

The Judge is attended by a Register, *Marke Cottle Esquire*, who sets down the Decrees, and Acts of the Court, and keeps the Records, all Original Wills and Testaments of parties dying, having *Bona Notabilia*, &c. The place is commonly called the *Prerogative Office*, now kept in the *Savoy*, where for a moderate Fee, one may search for, and have a Copy of any such

such Testament made, since the Rebellion of *Wat Tyler* and *Jack Straw*, by whom many Records and Writings, in several places of *London* were then burnt and destroyed.

The Places belonging to this Court are in the Gift of the Arch-bishop of *Canterbury*.

From the forementioned Courts, Appeals do lie to the Court of *Delegates*, whereof more pag. 67, the Judges whereof are appointed by the Lord Keeper under the great Seal of *England*, *pro illa vice*, and upon every cause or business there is a new Commission, and new Judges, according to the nature of the Affair or Cause, as sometimes Bishops, Common-Law-Judges, and Civilians, sometimes Bishops and Civilians, and sometimes Common-Law-Judges and Civilians, and sometimes Civilians onely.

To this Court belongs a standing Register, and the Court is kept in the same Common-Hall, in the afternoon, the day after the *Prerogative*.

The Citations and Decrees here run in the Kings Name.

From this Court lies no Appeal in Common course.

But the King of His meer Prerogative-Royal may, and many times doth grant a Commission of *Review*, under the Broad-Seal.

In this Colledge also usually resides the Vicar-General, belonging to the Arch-bishop

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Bishop of *Canterbury*, who as he is Primate, hath the Guardianship of the Spiritualties of every Bishop within his Province during the Vacancy; and executes all Episcopal Power and Jurisdiction by his Vicar-General, who is at present in the Province of *Canterbury*, Sir *Richard Chaworth* Knight, Doctor of Laws.

The Arch bishop of *York* hath the like Power in his Province, and his Vicar General is Dr. *Burnel*, he also hath a Prerogative Court, whereof the Judge is Dr. *Levet*.

Of the Colledge of Physitians in London.

AMongst other excellent Institutions in the City of *London*, there is a Colledge or Corporation of Physitians, who by Charters and Acts of Parliament of *Henry VIII.* and since his Raigh, have certain Priviledges, whereby no man, though a Graduat in Physick, of *Oxford* or *Cambridge*, may without Licence under the said Colledge Seal, practice Physick in *London*, or within seven miles of this City, (nor in any other part of *England*, in case he hath not taken any Degree in *Oxford* or *Cambridge*.) Whereby also they can administer an Oath, fine and imprison any Offenders, in that and divers other particulars, can make By-Laws

Laws, purchase Lands, &c. Whereby they have Authority to search all the shops of Apothecaries in and about *London*, to see if their Drugs and Compositions are wholesome and well made; whereby they are freed from all troublesome Offices, as to serve upon Juries, to be Constable, to keep watch and ward, to bear Arms, or provide Armes or Ammunition, &c. any Member of that Colledge may practice Surgery if he please, not onely in *London*, but in any part of *England*.

This Society had antiently a Colledge in *Knight-Rider-Street*, the Gift of Doctor *Linacre*, Physician to King *Henry the VIII.* since which, a House and Ground was purchased by the Society of Physicians, at the end of *Amen-street*, whereon the ever famous Doctor *Harvey*, Anno 1652. did erect at his own proper charge a Magnificent Structure, both for a Library and a Publick Hall for the meeting of the several Members of this Society, endowed the same with his whole Inheritance, which he resigned up, while he was yet living, and in Health, part of which he assigned for an Anniversary Harangue, to commemorate all their Benefactors, to exhort others to follow their good Examples, and to provide a plentiful *Dinner* for the worthy Company.

Anno 1666. This goodly Edifice could not escape the Fury of that dreadful Fire, and that ground being but a Lease, the present Fellows of this Colledge have purcha-

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sed with their own Moneys, a fair piece of Ground in *Warwick-Lane*, whereon they are now raising a sutable Edifice.

Of this Colledge there is a President, Four Censors, and Eight Elects, who are all Principal Members of the Society, and out of whom, one is every year chosen to preside.

The Four Censors of the Colledge have, by their Charter, authority to survey, correct, and govern all Physitians, or others, that shall practise in *London*, or within seven miles of the same, to fine, amerce, and imprison any of them, as they shall see cause.

*Here followeth a List of all the
Principal Physitians, who now
practise in London.*

Socū Colleg. Med. Lond.

Sir George Ent, President.

Dr. Hamex.

Dr. Glisson.

Dr. S. mon.

Dr. Stane, Censor.

Sir Alexander Fraster.

Dr. Mick'ethmain.

Dr. Paget.

Dr. Timothy Clark.

Dr.

Dr. Goddard, Censor.

Dr. King.

Dr. Cox.

Dr. Stanley.

Dr. Whistler.

Sir Charles Scarborough.

Dr. Wharton.

Dr. Merret, Censor.

Dr. Samuel Collins.

Dr. Rugeley.

Sir William Petty.

Dr. Terne.

Sir John Babor.

Sir Edward Greaves.

Dr. Croyden, Censor.

Dr. Bevoir.

Dr. Wolfe.

Dr. Luellen.

Sir John Finch.

Dr. Banes.

Dr. Walter.

Dr. Burwell.

Dr. Rogers.

Dr. Mills.

Dr. Lang.

Dr. Betts.

Dr. Twisden.

Dr. Waldron.

Dr. Barwick,

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Dr. Dacres.
 Dr. Samuel Collins.
 Dr. Collier.
 Dr. James Clark.
 Dr. Jasper Needham.
 Dr. Henry Clark.
 Dr. Carr.
 Dr. Packer.

Candidates.

Dr. Stracey.
 Dr. Yerbury.
 Dr. Allen.
 Dr. Hodges.
 Dr. Millington.
 Dr. Parker.
 Dr. John Smith.
 Dr. Lawson.
 Dr. Coysb.
 Dr. Bruce.
 Dr. Brooks.
 Dr. Howarth.
 Dr. George Smith.
 Sir Thomas Batburst.
 Dr. Francklin.
 Dr. Atfield.
 Dr. Downes.
 Dr. Trevor.

Dr.

Dr. Croone.

Dr. Browne.

Dr. Burwell.

Dr. Short.

Dr. Marshall.

Socii Honorarii.

Dr. Frear.

Dr. Parker.

Dr. Gourdon.

Dr. Denton.

Sir John Colladon.

Dr. Meara.

Dr. Lampriere.

Dr. Bowle.

Dr. Bacon.

Sir Richard Napier.

Sir John Hinton.

Dr. Colestone.

Dr. Charleton.

Dr. Dawtrey.

Dr. Diodati.

Dr. Fogarsius.

Dr. Hames.

Dr. Jo. Skinner.

Dr. Timme.

Dr. Warner.

Dr. Harris.

Dr. Argall.
 Dr. Arris.
 Dr. Langham.
 Dr. Meverell.
 Dr. Stanley.
 Sir Theodore de Vaux.
 Dr. Wisberley.
 Dr. Tichborne.
 Dr. Woodcock.
 Dr. King.
 Dr. T aylor.
 Dr. Bright.
 Dr. Moore.
 Dr. Cursellis.
 Dr. Walgrave.
 Dr. Ball.
 Dr. Duke.
 Dr. Harrisson.
 Dr. Man.
 Dr. Barebone.
 Dr. Napier.
 Dr. Gelsthorpe.
 Dr. Griffith.
 Dr. Walter Needham.
 Dr. Moester.
 Dr. Carter.
 Dr. Trapham.
 Dr. Henry Glisson.
 Dr. Charleton.

Dr.

Dr. John Clark.

Dr. Cavendish.

Dr. Dennis Gourden.

Dr. Bridgood.

Dr. Hardley.

Dr. Browne.

Dr. Paman.

Dr. Fisher.

Dr. Grinder.

Dr. Lawrence.

Dr. Willis.

Dr. Dickenson.

Dr. Fielding.

Dr. Medford.

Dr. Gray.

Dr. Sagittary.

Dr. White.

Dr. Waterhouse.

Permissi.

Dr. Wedderburn.

Dr. Trist.

Dr. Lenthall.

Dr. Barrough.

Dr. Broome.

Dr. Velmar.

Dr. Vermuden.

Dr. Syntnam.

Anken Y.

The present State

Antiently, the usual Fee of a Doctor was 20 s. and of one that had not taken that degree 10 s. at present there is no certain rule: But some that are eminent, have received in Fees yearly, 2 or 3000 l. and purchase great Estates; which in other Countreys is very rare.

Besides the worthy persons mentioned in the List above, there are divers Physicians, that have good practice in *London*, although they never had any Licence, which is connived at by the Colledge; and so is the too much practise of *Empericks, Mountebanks, Pretended Chymists, Apothecaries, Surgeons, Wise-women, &c.* In which piece of folly, the English surpass all the Nations of Christendom.

And yet, by the Law of *England*, if one who is no Physician or Surgeon, or not expressly allowed to practise, shall take upon him a Cure, and his Patient die under his hands; this is Felony in the person presuming so to do.

Of the Colledge of Heralds.

Not far from the Colledge of *Doctors Commons*, stood the Colledge of *Heralds*, that is, of such as are to be Messengers of War and Peace, that are skilful in Descents, Pedigrees, and Coats of Armories, an Ancient House, built by *Thomas Stanley, Earl of Derby*, who married

ried the Mother of King *Henry* the Seventh, and bestowed by Queen *Mary* on the Kings Heralds, and Pursuivants at Arms for ever, to the end that they, and their Successors might dwell together (if they so pleased) and assemble, confer, and agree for the good Government of their Faculty, and that their Records might there safely be preserved, &c.

They were made a Colledge or Corporation, by Charter of King *Richard* the Third, and by him had several Priviledges granted unto them; as, to be free from Subsidies, Tolls and all troublesome Offices of the Kingdom.

Afterwards, another Charter of Priviledges was granted unto this Society by King *Edward* the Sixth, in the Third year of His Reign.

Of this Collegiate Society are first; three, stiled *Reges Armorum Anglorum*, Kings at Arms, six called *Heralds*, and four Pursuivants at Arms.

Amongst the Kings at Arms; the first and principal is called *Garter*, instituted by King *Henry* the Fifth, whose Office is to attend the Knights of the Garter at their Solemnities, and to Marshal the Solemnities at the Funerals of all the higher Nobility of *England*; to advertise those that are chosen, of their new Election, to call on them to be installed at *Windsor*, to cause their Arms to be hung up upon their Seats there; to carry the Garter to Kings and Princes beyond the Seas; for which purpose, he was wont to be joyned in Commission

mission with some Principal Peer of the Realm, &c.

The next is *Clarencieux*, so called from the Duke of *Clarence*, to whom he first belonged; for *Lionel*, Third Son to *Edward* the Third, marrying the daughter and heir of the Earl of *Ulster* in *Ireland*, had with her the Honor of *Clare* in the County of *Twomond*, whereupon he was afterwards created Duke of *Clarence*, or the Territory about *Clare*, which Dukedom escheating to King *Edward* the Fourth, by the death of His Brother *George*, Duke of *Clarence*, He made this Herald, who properly belonged to that Duke, a King at Arms, and named him *Clarencieux* in French, and *Clarentius* in Latin. His Office is to marshal and dispose the Funerals of all the lower Nobility, as Barons, Knights, Esquires, and Gentlemen on the South-side of *Trent*, and therefore sometimes called *Surrey* or *Southern*.

The third King at Armes is *Norroy*, or *Northroy*, whose Office is to do the like on all the North-side of *Trent*.

The two last are called *Provincial Heralds*, *England* being by them divided into two Provinces.

These by Charter have power to visit Noblemen's Families, to set down their Pedigrees, to distinguish their Arms, to appoint Men their Arms or Ensigns, and with *Garter* to direct the *Heralds*.

The Six *Heralds* anciently belonging properly to Dukes, have been sometimes named *Dukes* or *dukes*, and are thus called

led and ranked : First, *Windsor* ; secondly, *Richmond* ; thirdly, *Chester* ; fourthly, *Somerset* ; fifthly, *Tork* ; sixthly, *Ban-
ster*. Whose Office was anciently to at-
tend Dukes in Marshal Executions : Now
they are to wait at Court, attend Publick
Solemnities, Proclaim War and Peace, &c.
thence perhaps named *Heralds*, from two
German words, *Hore* and *Heals*, that is, the
Armies Champion, to denounce War, or of-
fer Peace, as the *Feciales* of the Romans
did ; and from hence probably Seven Da-
nish Kings, and some Kings of Norway, and
of Sweden, and some of England, before
the Conquest, have had the name of *Harold*,
which is all one (*saint Vorstegan*) with
Herald.

These have no certain Province under
them, but by turns wait upon the Kings at
Arms, and have part of their Fees.

Of these *Heralds* in England there were
anciently many, and so likewise of Pursu-
ivants, whereof at present there are
but four, thus named, *Rouge Crois*, *Rouge
Dragon*, *Portcullice*, and *Blennantle*, from
such Badges heretofore worn by them, as it
is thought.

The service of these, and of the *Her-
alds*, and of the whole Colledge, is used
in Marshalling and Ordering Coronati-
ons, Marriages, Christnings, Funerals,
Interviews, Feasts of Kings and Princes,
Cavalcades, Shews, Jests, Tournaments,
Combats before the Constable and Marshal,
&c. Also they take care of the
Coats of Arms, of the Genealogies of
the

the Nobility and Gentry, briefly, whatsoever concerns Honour, is their care and study, they are *Tanquam Sacrorum Custodes & Templi Honoris Aeditui*.

All these receive Annual Stipends out of the Kings *Exchequer*. They are all to be Gentlemen at the least, and the Six Heralds are expressly made Esquires by the King, when they are created Heralds.

Anciently, the Kings at Arms were Created, and solemnly Crowned by the Kings of England themselves, and the Heralds and Pursuivants had their Creations from the Kings Hand; but of later times the Earl Marshal hath had a special Commission for every particular Creation, and to do all that before was done by the King.

For the Creating and Crowning of *Garter*, King at Arms; there are first to be provided a Sword and a Book, whereon to take a Solemn Oath, then a Gilt Crown, a Coller of S's, a Bowl of Wine; which Bowl is the Fee of the new created King, also a Coat of Arms of Velvet richly embroidered: His Creation is on this manner; First, he kneels down before the Earl Marshal, and laying his hand on the Book and Sword, another King at Arms reads the Oath, which being taken, and the Book and Sword kissed; next are read the Letters Patents of his Office, during which, the Earl Marshal powres the Wine on his head, and gives him the Name of *Garter*, then

then puts on him the Coat of Armes and Collar of S's, and the Crown on his head.

The Oath is to obey, first, the Supream head of the most noble Order of the Garter, and then the Noble Knights of that Order, in such things as belong to his Office, to inquire diligently of all the Noble and notable Acts of every Knight of this Order, and thereof to certifie the Register of that Order, that he may record the same, and to give notice to the King, and the Knights of the Order, of the death of any of that Society: to have an exact knowledge of all the Nobility, to instruct Heralds and Pursuivants in doubts concerning the Office of Arms, to eschew and avoid all persons of ill reputation, to be more ready to excuse than to blame any noble person, unless called by Authority, to witness against them, &c. This Officer hath a double Salary, double to the two other Kings, and hath moreover Fees at the Instalments; yearly wages given by the Knights of the Garter, hath the uppermost Garment at their Installments, &c.

The two Provincial Kings at Armes, *Clarentius* and *Norroy*, are created by Letters Patents, a Book, a Sword; &c. as *Garter*, and with almost the same Ceremonies.

A Herald at Armes is also created with the like Ceremony; onely his Coat of Armes must be Sattin, embroidered and enriched with Gold, and must be brought in with two Heralds, as the Kings at Armes are by two Kings at Armes.

They

They take a solemn Oath to be true to the King, to be serviceable to Gentlemen, to keep secrets of Knights, Esquires, Ladies and Gentlewomen, to assist distressed Gentlemen and Gentlewomen, Widows and Virgins; to avoid Taverns, Dicing, and Whore-houses, &c. Pursuivants at Armes. are created also by Letters Patents, a Book, a Bowl of Wine, and a Coat of Arms of Damask. and to be brought in, as the Heralds, before the Earl Marshal, or his Deputy, and to swear in solemn manner to be true to the King, to be serviceable to all Christians, to be secret and sober, to be more ready to commend than to blame, to be humble, lowly, &c.

This Office, since the late dreadful Fire, is held in the Queens Court at *Westminster*, where are some alwayes waiting, to satisfie comers touching Descents, Pedigrees, Coates of Armes, &c. as was formerly done at the forementioned House up in *London*, which is now begun to be rebuilt by the Members of the Colledge, and (it is hoped) may in a short time, by the bountifull Contributions of all men that have any sence of Honour remaining, be compleated to the Glory of this City and Kingdom.

All of this Colledge, being the Kings sworn servants, the Reader may find a List of their Names, in the First Part, about the Kings Court.

Gresham Within the Walls of *London* also is seated a Colledge, built by the forementioned worth

worthy person Sir *Thomas Gresham*, and endowed in manner following: After he had built the *Royal Exchange*, he gave the Revenue thereof, the one Moity to the Mayor and Commonalty of *London*, and their Successors; and the other Moity to the Company of *Mercers* in trust, that the Mayor and Aldermen should find in all time to come, four able persons to read within this Colledge, Divinity, Geometry, Astronomy, and Musick, and to allow to each of them, besides their fair Lodging 50 l. a year. And that the Company of *Mercers* should find Three more able men, to read Civil Law, Physick and Rhetorick, and to allow to each one of them besides fair Lodgings 50 l. a year. And that these several Lecturers should read in Term-time, every day in the week (except Sundayes) aforenoon in Latin, and afternoon the same in *English*: The Musick Lecture to be read onely in *English*.

There is also within *London* another called *Sibm Colledge*, founded by *Thomas White* Doctor in Divinity, for the use of the Clergy of *London*, and of the Liberties thereof; and a part thereof to be for 20 poor people; to perform all which, he gave 3000 l. and for the maintainance of those poor he settled 120 l. a year for ever, and 40 l. a year for a Sermon in Latin, at the beginning of every quarter, and a plentiful Dinner for all the Clergy that shall then meet there. In this Colledge is a fair spacious Library, built by *John Symphon*, Rector of *Saint Olaves Hart Street*, and

and one of the said Doctor *Whites* Executors, and by the bounty of divers Benefactors, this Library hath been well furnished with Books, chiefly such as are useful for Divines. This Colledge felt the rage of the late Fire, but is almost repaired again.

A little without the Walls stands another Colledge or Collegiate House, called antiently the *Chartreuse*, now corruptly the *Charter-house*, it being heretofore a Covent of *Carthusian Monks*, called in French *des Chartreux*. This Colledge called also *Suttons Hospital*, consists of a Master or Governor, at present Sir *Ralph Sidenham*, a Chaplain Doctor *Thrisicrofs*, a Master and Usher to instruct 44 Scholars; besides fourscore decayed Gentlemen, Soldiers and Merchants, who have all a plentiful maintenance of Dyet, Lodging, Clothes and Physick, &c. and live altogether in a Collegiate manner, with much cleanliness and neatness: and the four and fourty Scholars have not onely all necessaries whilst they are here taught, but if they become fit for the *Universities*, there is allowed unto each one, out of the yearly Revenues of this Colledge 20*l.* yearly, and duly paid for eight years after they come to the University, and to others fitter for Trades, there is allowed a considerable Sum of Money to bind them Apprentices. There are moreover all sorts of Officers expedient for such a Society, as Physitian, Apothecary, Steward, Cooks, Butlers, &c. who have all competent Salaries.

laries. This vast Revenue and Princely Foundation was the sole Gift of an ordinary Gentleman, Mr *Toomas Sutton*, born in *Lincolnshire*: and 'twas of such high Account, as it was thought fit, that by the Kings Letters Patents, under the Great Seal, divers persons, of the highest Dignity and Quality in Church and State, should alwayes be the Overseers and Regulators of this Society, as the Archbishop of *Canterbury*, the Lord Keeper, Lord Treasurer, and Thirteen others.

Besides, there are in *London* divers endowed Schools, which in *France* would be stiled Colledges; as *Paul's School*, founded 1512. by *John Collet*, Doctor of Divinity, and Dean of *Pauls*, for 153 Children to be taught there gratis, for which purpose he appointed a Master, a Sub-master or Usher, and a Chaplain, with large stipends for ever, committing the oversight thereof to the Masters, Wardens, and Assistants of the *Mercers* in *London*; for his Father *Henry Collet*, sometime Lord Mayor of *London*, was of the *Mercers Company*. This famous School was also lately burnt down, and now is reedified in a far more magnificent, commodious and beautiful manner, the worthy Master thereof is Mr. *Samuel Crumholm*, alias *Cromlum*.

There are in *London* divers other endowed Schools, as Merchant-Taylors, *Mercers-Chappel*, &c. a particular Account whereof the designed Brevity of this Treatise will not admit.

It would also make this Book too much swell

well to give an Account of the many richly endowed Hospitals, Almes houses, Workhouses, or Houses of Correction, the many stately built Taverns, Inns, and Coffee Houses, some whereof surpass all others in Foreign parts, and are worthy to be viewed by curious Travellers, who may also find it worthy their pains, to remark the several spacious well-built Theaters, which for variety of Scenes, excellent Actors, Language, Designs, Musick, &c. are hardly to be equalled: Moreover they may observe the many well furnished Markets, the weekly Horse fairs, the great commodiousness of Hackney-Coaches, of Sedans, of Boats, &c. belonging to this famous City; also to consider the City of *Westminster* and the Burrough of *Southmark*, both which now seem to be swallowed up in *London*, whereof let this brief Account following suffice.

*West-
minster.*

Within the Precincts of *Westminster* are many Magnalia, several things are as remarkable as any aforementioned: the ancient stately Abby Church founded before the *Norman Conquest*, by the Pious King *Edward the Confessor*, and most richly endowed; afterwards rebuilt from the ground by *Henry the III.* with that rare Architecture now seen, wherein are the most magnificent Tombs and Monuments of our Kings and Queens, and greatest Nobles of *England*. To the East end of which is added a Chappel of King *Henry the VII.* which for the most admirable artificial work without and within, for a Monument

numment of massy Brass, most curiously wrought, is scarce to be paralleld in the World.

This huge Fabrick stands where first was the Temple of *Apollo*, and afterwards King *Sebert*, the East Saxon King, that first built *St. Pauls* aforementioned, built here a Church to *St. Peter*.

Queen *Elizabeth* converted this Abbey into a Collegiate Church, and therein placed a Dean, 12 Secular Canons or Prebendaries, Petty Canons and others of the Quire to the number of 30, ten Officers belonging to the Church, as many Servants belonging to the Collegiate Dyet, two Schoolmasters, 40 Scholars, 12 Almesmen, with plentiful maintenance for all, besides Stewards, Receivers, Registers, Collectors and other Officers, the principal whereof is the high Steward of *Westminster*, who is usually one of the prime Nobility, and is at present the Lord Chamberlain. The Dean is entrusted with the custody of the *Regalia* at the Coronation, honored with a place of necessary service at all Coronations, and a Commission of Peace within the City and Liberties of *Westminster*; the Dean and Chapter invested with all manner of Jurisdiction, both Ecclesiastical and Civil, not onely within the City and Liberties of *Westminster*, but within the Precincts of *St. Martin le grand*, within the Walls of *London*, and in some Towns of *Essex*, exempted in the one, from the Jurisdiction of the Bishop of *London*; and

and in the other, from that of the Archbi-
shop of *Canterbury*.

For Ecclesiastical Causes and probate of Wills, it hath a Royal Jurisdiction, Dr. *Richard Lloyd* is Commissary, from whom Appeal must be onely to the King in his High Court of Chancery, who thereupon issueth out a Commission of Delegates under the Great Seal of *England*.

When the Convocation is adjourned from *St. Pauls* (for the conveniency of being nearer to the Parliament) to *Westminster*, the Bishops first declare (upon a Protestation made by the Dean there) that they intend not thereby to violate that high Priviledge, viz. *That no Bishop or Archbishop may come there without leave of the Dean first obtained.*

There is also a fair Publick Library, free for all Strangers to study both morning and afternoon alwayes in Term time.

Next this Church stood the Royal Palace, and usual place of Residence for the Kings of *England*, who ordinarily held their Parliaments, and all their Courts of Judicature in their dwelling Houses (as was done at *Paris* by the King of *France*, in the *Isle de Nostre Dame*, and is done at this day at *Madrid* by the King of *Spain*) and many times sate themselves in the said Courts of Judicature, as they do still in their Court of Parliament,

A great part of this huge Palace was in the time of *Henry the VIII.* destroyed by fire, what remained hath still been employ-
ed

ed for the use of the Lords and Commons assembled in Parliament, and for the chief Courts of Judicature. The great Hall where these are kept, some say was built by King *William Rufus*, others by King *Richard the II.* about 300 years agoe, and for all dimensions is not to be equalled by any Hall in Christendom.

Moreover, Strangers and Forrigners may take notice of the extraordinary commodiouness, conveniency and situation of the present Royal Palace, and usual place of Residence of our Kings, called *White-hall*, belonging heretofore to Cardinal *Woolsey*, seated between a noble Navigable River, and a most delectable Park; of the great Chamber there, called the *Banqueting-House*, the like whereof for spaciouness, Beauty, Peinture, and exact proportion, no King in Europe can parallel; of another Royal Palace, called *Saint James's*, or *Clarendon-House*, which, for situation, and a uniform solid structure is admirable; of *Berkle-House*, of the many stately uniform Piles in *S. James's Fields*, of *Northumberland-House* and *York-House*, of *Britains Burse*, or the *New Exchange*, a place excellently furnished with all kind of choice Commodities and Wares for Ladies; of *York*, *Salisbury*, and *Worcester-Houses*; of the *Savoy*, a vast building first erected by *Peter Earl of Savoy* and *Richmond*, Uncle to *Eleanor*, Wife to our King *Henry the Third*, who after purchased the same for her Son *Edmund*, Duke of *Lancaster*, and is now a famous Hospital,

O

built

built all of huge Stone, and more like a Kings Palace; of another Royal Palace called *Somerset-House*, built by *Edward Duke of Somerset*, Uncle to King *Edward the Sixth*, of *Arundel*, *Essex*, *Exeter*, *Bedford*, *Leicester*, *Newport*, and *Southampton Houses*, of the uniform stately Buildings, and fore-mentioned large *Piazza's* or open places (for which the Cities in *Italy* are so highly esteemed) in *Covent Garden*, *Lincolns Inn Fields*, and *Southampton Buildings*, not to be equalled in any of our Neighbor Countries.

*South-
mark.*

As for the Borough of *Southmark*, granted by King *Edward the Sixth*, by his Letters Patents to the Mayor, Commonalty, and Citizens of *London*, called *The Bridge Ward* without, and governed by one of the Twenty six Aldermen of *London*; it hath nothing much remarkable, onely, that it is so rich and populous, that it pays more in a Subsidy to the King, and musters more Men, then any other City in *England*, besides *London*.

Lastly, very remarkable also is the Campaign or Country on all sides of this great City, for the number of Royal Palaces, the multitude of stately Houses, and Gardens of Noblemen; the innumerable fair Summer Dwelling-Houses of the Wealthy Citizens; the pleasant fertile Meadows, enclosed Pastures and Corn Fields; the abundance of Nurseries and Seminaries, where are to be sold all sorts of Fruit-Trees, Flowers, Herbs, Roots, as well for Physick, as for Food and Delight; the frequen-
cy,

cy, populousness, and wealthiness of the Villages, whereas the Campaigns about Rome and Madrid, are more like Delarts.

The Arms of the City of London, are Argent Cross-Gules, with the Sword of S. Paul, not the Dagger of William Walworth, as some have conceited; for this Coat did belong to this City before Walworth slew Wat Tyler, the Rebel, as Learned Antiquaries affirm. This City lies in 51 Degrees 30 Minutes of Northern Latitude.

Of the Universities of England.

THe English Universities are so famous beyond the Seas, and so much surpass all other in the World, that they abundantly deserve a larger account than can sute with the designed brevity of this Manual; however they shall not be passed over in silence.

Nothing was ever devised more singularly beneficial to Gods Church, and Mans happiness, then what our Ancestors have, to their eternal renown, performed by erecting such admirable Structures for Learning, as our Universities do contain, and by providing thereby that choice parts after reasonable time spent in contemplation, may be called forth to act and practice in Church and State.

In the beautiful Fabrick of the Kingdom of England, the Two Eyes are the Two

Universities Oxford and Cambridge; those Two Nurseries or Seminaries of Learning and Religion, which for number and magnificence of richly endowed Colleges; for liberal Stipends to all sorts of Publick Professors; for well furnished Publick and private Libraries, for large Charters, Priviledges and Immunities; for number and quality of Students; for exact Discipline and Order, are not to be paralleld in the whole World.

They were anciently called *Academies*, from a *Grove* so named near *Athens*, whither *Plato*, *Xenocrates*, and other Philosophers retired, for the study of *Sciences*.

Of later times they have been stiled *Universities*. A *professione Universalium Scientiarum & Artium liberalium*.

An *University* now is properly an *Incorporation* (under one Government) of many Publick Schools, ordained especially for the Study and Profession of *Divinity*, *Civil Law*, and *Physick*, and also of *Philosophy*, and of other Liberal Sciences and Arts, as Hand-maids to the former.

Oxford, *Quasi Ousford*, *Isidis Vadum*, the name of the chief River whereon it is seated; or perhaps from *Bovis Vadum*, a Ford for Oxen to pass through before the use of Bridges, as *Thracius Bosphorus* signifying the like, is by the *Germans* called *Ochenfurt*.

It is seated at the meeting of two clear Fishy Rivers, in such a healthy Air, and pleasant rich Soyl, that it hath anciently been called *Bellofitum Bellaflis* or *Beaulieu*.

It

Par. 2. of England.

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It lies in 51 Degrees 50 Minutes Latitude, and above 22 Degrees Longitude.

Oxford was a place of Publick Studies above Nine hundred years ago, and much augmented (not founded) by the Learned Saxon King *Alfred*, hath been very anciently reckoned the *Second University* amongst the Four principal of *Europe*, whereof the others are *Paris* in *France*, *Bononia*, now called *Bologna* in *Italy*, and *Salamanca* in *Spain*; and although *Paris* hath usually been named in the first place, yet it hath been acknowledged to be *Oxonia Propago*; and if *Paris* for a time was more flourishing, yet since, in many respects it is excelled by this of *Oxford*.

Oxford is an antient City, consisting of two sorts of Inhabitants, viz. *Students* and *Citizens*, living one amongst another, though wholly seperate for Government and Manners; for when former Kings of *England* perceived that they could not (as at *Paris*) be separated by a River, they thought best to disjoyn them, as much as might conveniently be by Priviledges and whole manner of Government; so that there are not the same limits; for the University have them much larger; nor the same stroke and Authority of Justice, or power of Magistrates; for the Chancellor of the University, and in his absence his Vice-Chancellor, is not onely in place but in all affairs of Moment (though concerning the City it self) superior to the Mayor of the Town.

Nor are they governed by the same kinde

The present State

of Laws, for all Members of the *University*, are subject to the Vice-Chancellors Judicial Courts, which are ruled wholly by the Civil Law.

Over the *University*, next under the King, is placed the forementioned Magistrate called the Chancellor; who is usually one of the prime Nobility, and nearest in favor with the Sovereign Prince, Elected by the Students themselves in Convocation to continue *durante vita*; whose Office is to take care of the Government of the whole *University*; to maintain the Liberties and Priviledges thereof, to call Assemblies, to hear and determine Controversies, call Courts, punish Delinquents, &c.

This great Honour is enjoyed at present by *James Duke of Ormond*, Lord Steward of the Kings Household.

The next in Dignity amongst the Officers of the *University of Oxford*, is the high Steward, who is nominated by the Chancellor, and approved by the *University*, and is also *durante vita*, whose Office is to assist the Chancellor, Vice-Chancellor and Proctors, upon their Requests in the execution of their Places; also to hear and determine Capital Causes, according to the Laws of the Land, and Priviledges of the *University*, so oft as the Chancellor shall require him.

This Honour is held by *John Earl of Bridgewater*.

The third is the Vice-Chancellor, who is yearly nominated by the Chancellor, and
is

is commonly the Head of some Colledge. His Duty is in the Chancellors absence to do whatever almost the Chancellor might do if he were present. Moreover he takes care that Sermons, Lectures, Disputations, and other Exercises be performed, that Hereticks, Fanaticks, Nonconformists, Panders, Bawds and Whores, &c. be expelled the University, and the Converse with Students; that the Proctors, and other Officers and publick servants of the University, duly perform their Duty; that Courts be duly called, and Law suits determined without delay; in a word, that whatever is for the Honour and Profit of the University, or may conduce for the advancement of good literature, may be carefully obtained. The present Vice-Chancellor is Doctor Peter Mews, President of St. Johns Colledge.

Fourthly, the two Proctors chosen every year out of the several Colledges by turns, these are to assist in the Government of the University, more particularly in the business of Scholasticque exercises, and taking Degrees, in searching after, and punishing all violaters of Statutes, or Priviledges of the University, all Night-walkers, &c.

They have also the oversight of Weights and Measures, that so the Students may not be wronged.

They are at present Mr. John Hersent, Fellow of New Colledge, and Mr. Alan Carr Fellow of All Souls.

Next in order is the Publick Orator, whose business is to write Letters, according

ding to the Orders of the Convocation; or Congregation; also at the Reception of any Prince or great Person that comes to see the University, to make solemn Harangues, &c. He is now Robert South Dr. in Divinity.

Then is the *Custos Archivorum*, or Keeper of Records, whose Duty it is, not only to collect and keep the Charters, Privileges and Records that concern the University, but also to be always ready to produce them before the chief Officers, and to plead the Rights and Privileges of the said University. This Office is now in the trust of Dr. Wallis.

Lastly, is the Register of the University Mr. Cooper, whose Office is to Register all Transactions in Convocations, Congregations, Delegacies, &c.

Besides the fore-mentioned Officers, there are certain publick Servants of the University called Bedels, from the High Dutch *Bitter* or else from the Low Dutch *Bidden*, to summon, admonish, or pray; of these there are six, whereof three are called Squire Bedels, and carry large Maces of Silver Gilt; the other three are stiled Yeomen Bedels, and carry large Silver Maces ungilt.

Their Office is always to wait on the Vice Chancellor in Publick, doing what belongs to his place, and at his Command to seize any Delinquent, and carry him to Prison, to summon any, to publish the calling of Courts or Convocations, to conduct Preachers to Church, or Lecturers to Schools, &c.

Upon more solemn times and occasions there is a seventh that carries in his hand a Silver Rod, and is thence called the Vinger, who with all the other six walk before the Vice-Chancellor, and is ready to observe his Commands, and to wait on Grand Compounders, &c.

Other publick Servants of less note, shall be passed by.

Many Kings of England have been great Favourers of Learning, and esteemed it their honour, to give or enlarge the Priviledges of the Universities.

By Charter of *Edward 3.* the Mayor of *Oxford* is to obey the orders of the Vice-Chancellor, and to be in subjection to him.

The Mayor with the chief Burgeses in *Oxford*, and also the High Sheriff of *Oxfordshire*, every year in a solemn manner take an Oath, given by the Vice-Chancellor to observe and conserve the Rights, Priviledges, and Liberties of the University of *Oxford*.

And every year on the day of *St. Scholastica*, being on the Tenth of *February* a certain number of the Principal Burgeses, publicly and solemnly do pay each one a Penny, in token of their submission to the Orders and Rights of the University.

No Victuals to be taken by the Kings Purveyors within five miles of *Oxford*, unless the King himself comes thither.

King *James* of happy memory honoured both Universities, with the Priviledge of sending each two Burgeses to Parliament.

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It is none of the least Priviledges belonging to the two Univerſities, that they are ſubject to the Viſitation or Correction of none but the King, or whom he ſhall pleaſe to Commiſſionate.

By Charter of Henry 4. It is left to the choice of the Vice-Chancellor, whether any Member in the Univerſity there inhabiting, accuſed for Felony or High Treason, ſhall be tryed by the Laws of the Land, or by the Laws and Customs of the Univerſity, though now where life or limb is concerned, the Criminal is left to be tryed by the Laws of the Land.

No Students of Oxford may be ſued at common Law for Debts, Accounts, Contracts, Injuries, &c. but onely in the Court of the Vice-Chancellor, who hath power to determine Cauſes, to imprifon as aforeſaid, to give corporal puniſhment, to excommunicate, to ſuſpend, and to baniſh.

Antiently in Oxford (as now in moſt Univerſities beyond the Seas) the Students without any diſtinction of Habit, lived in Citizens Houſes, and had meeting places to hear Lectures and diſpute. After that, there were divers Houſes for Students onely to live together in Society (as now in the Innes of Court and of Chancery at London) and thoſe places were called either *Inns* from the *Saxon*, or *Hoſtels* from the *French*, and at preſent are named Halls, where every Student lived wholly upon his own charges, until divers bountiful Patrons of Learning, in their great wiſdom thought

thought best to settle for ever, plentiful Revenues in Lands and Houses, to maintain in Lodging, Dyer, Cloaths, and Books, such Students, as by Merit and Worth, should from time to time be chosen, and to settle large Salaries for Professors to instruct them, and for a head to govern them, according to certain Statutes and Ordinances made by the said Patrons or Founders. And these are called Colledges, whereof the first thus endowed in Europe were *University*, *Baliol*, and *Merton Colledge* in *Oxford*, all made Colledges in the Twelfth Century after the Birth of Christ; although *University Colledge* hath been reckoned a place for Students ever since the year Eight hundred seventy two, by the Royal Bounty of our foresaid Saxon King *Alfred*, and was anciently called *The University Colledge*, where were divers Professors, and all the Liberal Sciences read.

Of such endowed Colledges there are in *Oxford* Eighteen, and of Halls, (where with the like Discipline, Students live upon their own means, only excepting some certain Exhibitions or Annual Pensions annexed to some one or two of them) there are seven; of all which, the names and Governors, See the first Part of the *Present State of England*.

These Colledges have within their own Walls, Lectures, Disputations, all Professions and Liberal Sciences read and taught, and in some of them, Publick Lectures for all Comers, and large Salaries for the Readers; insomuch, that they seem

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so many compleat Universities, and are not inferiour to some of our Neighbor Countreys. *Lippius* (whose Testimony among the learned, is very considerable) saith of one Colledge of *Oxford*, in his time, what might be said of some others there, and in *Cambridge*, *Non credo in orbe terrarum extra Angliam simile esse, Addam, aut fuisse: Magna illic opes & vestigia, &c. Verbo ut dicam, Unum Oxoniense Collegium (rem inquisivi) superat vel decem nostra.*

The whole number of Students in *Oxford* that partake of the Revenues of the Colledges, are about One thousand; and of other Students about twice as many.

There were anciently in this University, before the founding of Colledges, Two Hundred *Hospitia Studioforum*, Inns, Hostels, or Halls; and as *Armachanus* Writes, there were Thirty thousand Students; and twenty miles round *Oxford*, were by the Kings of *England* set apart for Provision in Victuals for this City.

The Discipline of these Colledges and Halls, is far more exact and excellent then in any Foreign University.

First, All that intend to take any Degree, are to take their Dyet and Lodging, and have a Tutor constantly in some Colledge or Hall; then they are to perform all Exercises, to be subject to all Statutes, and to the Head of the House: Next, they are to be subject to the chief Magistrate of the University, to perform publick Exercise, and to be subject to the Publick Statutes

tutes thereof. They are to suffer themselves to be shut up by night in their several Houses. They are never to be seen abroad out of their Chambers, much less out of their Colledges without their Caps and Gowns, (an excellent order, no where observed in Foreign Parts, but in *Spain*.) Their Gowns are all to be black, onely the Sons of the higher Nobility are herein indulged, and all Doctors are honoured with Purple, or rather Scarlet Robes, which anciently were allowed onely to Emperours or Kings; but now in *England*, besides the King, all Peers in Parliament, all Doctors in the Universities, all Majors and Governors of Cities, and all the Principal Judges are at certain times cloathed in Scarlet.

The Degrees taken in the University are onely two, viz. Of *Bachelor* and *Master* (for so they are antiently called, as well in Divinity, Law, and Physick, as in the Arts.) At present, the Degrees in those Three Professions are called *Bachelars* and *Doctors*, onely in the Arts, *Bachelor* and *Master*.

Every year, at the Aft, or time of compleating the Degree of *Master*, both in the Three Professions and Arts (which is alwayes the Monday after the Sixth of *July*) there are (unless some extraordinary occasion hinders) great Solemnities, not onely for Publick Exercises, but Feastings, Comedies, and a mighty concourse of Strangers, from all parts to their Friends and Relations then compleating their Degrees, whereby, and by the set Fees, it usually

ally costs a Doctor of Divinity, Law or Physick, about One hundred pounds sterling, and a Master of Arts 20 or 30 *l.* sterling.

In these Three Professions, and in the Arts, there proceed Masters or Doctors yearly about one hundred and fifty, and every *Lent* about Two hundred Bachelars of Arts.

The time required by Statute, for Studying in the University, before the taking of the forementioned Degrees, because it is much longer then what is required in any Foreign University, shall here be set down more particularly.

To take the Degree of *Bachelor in Arts*, is required four years, and three years more for to be *Master of Arts*.

Now the year is divided into Four Termes, the First begins the 10th of *October*, and ends the 17th of *December*, and is called *Michaelmas Term*: the Second called *Hilary, or Lent*-Term begins the 14th of *January* and ends the Saturday before *Palm-Sunday*: the Third called *Easter-Terme* begins the 10th day after *Easter*, and ends the Thursday before *Whitsunday*: the Fourth is called *Trinity-Term*, beginning the Wednesday after *Trinity-Sunday*, and ends after the Act sooner or later, as the Vice-Chancellour and Convocation think meet.

To take the Degree of *Doctor of Divinity*, the Student must necessarily, first, have taken the Degree of *Master of Arts*, and then after seven years more, he is capable of being

being *Bachelor of Divinity*, and then four years more is requisite before the Degree of *Doctor* can be had.

To take the Degree of *Doctor of Laws*, the more ordinary way is, in three years after *Master of Arts*, one may be capable of the Degree of *Bachelor*, and in four years more of *Doctor of Laws*, the like for *Doctor in Physick*.

The Exercises required for taking these Degrees are many, and difficult enough, yet not such, but that may be performed in less time, by any Men of good abilities: But it was the Wisdom of our *Ancestors* to order, that before those degrees were conferred upon any, and they allowed to practice, they might first gain Judgment and Discretion, which comes with Time and Years, and perhaps, that those of slower parts might, by Time and Industry, make themselves capable of that Honor, as well as those of quicker abilities.

To speak now particularly of the most magnificent and stately Publick Schools in Oxford, of the large Salary to each Publick Professor, of the most famous *Bodleian Library*, that for a noble lightsome Fabrick number of choice Books, curious Manuscripts, diversity of Languages, liberty of Studying, facility of finding of any Book, equals, if not surpasses, the famous *Vatican*: To speak of the curious *Architecture*, and vast charges of the New Theater, fabricated by the most ingenious Dr. *Christopher Wren*, at the sole cost and charges of the most Reverend Father in God, *Gilbert*,
the

the present Archbishop of *Canterbury*, for the use of Scholastick Exercises, and of that most excellent Printing-Press there. To speak of the beautiful, solid Stone Buildings, Chappels, Halls, Libraries, large Revenues, admirable Discipline of several Colledges: To describe the most delightful Publick Physick Garden, abounding with variety of choice Plants, and surrounded with stately Stone Walls at the sole expences of the Right Honourable Henry Earl of *Danby*, would require another Volume.

What hath been said of *Oxford*, the like may be said of Her Sister *Cambridge*, which for Antiquity, Gracious Priviledges, beautiful Colledges, large Revenues, good Discipline, number of Students, plenty of Diet, and of all other things necessary for advancement of Learning (if in complaisance she will at any time give place to *Oxford*, yet at the same time) will challenge precedence before any other University of the Christian World.

The University of *Cambridge*, in some few particulars, differs from that of *Oxford*.

The Chaneellor of *Cambridge* (at present the Duke of *Buckingham*) is not so *durante vita*, but may be elected every two years, *aut manere in eodem Officio durante tacito consensu Senatus Cantabr.* He hath under him a Commissary, who holds a Court of Record of Civil Causes for all priviledged persons and Scholars under the Degree of Master of Arts, where all Causes

are Tryed and determined by the Civil and Statute Laws, and by the Customies of the University.

They have also a High Steward chosen by the Senate, and holds by Patent from the University, is at present the Earl of *Craven*.

The Vice-Chancellor is *Dr. Mapletost*, Dean of *Ely*, Master of *Pembroke-Hall*; This High Officer is chosen every year, on the Third of *November* by the Senate, out of two Persons nominated by the Heads of the several Colledges and Halls. Here note, that the Halls at *Cambridge* are endowed and priviledged as the Colledges, and differ only in Name.

The two Proctors are chosen every year, as at *Oxford*, according to the Circle of Colledges and Halls, they are for this year *Mr. William Cook*, Fellow of *Jesui* Colledge, and *Mr. Nathaniel Coga* Fellow of *Pembroke-Hall*.

There are chosen after the same manner two, called Taxers, who with the Proctors have care of Weights and Measures, as Clerks of the Market.

The *Custos Archivorum*, or University-Register is *Mr. Mathew Whinne*.

There are also three Esquires Bedels, and one Yeoman Bedel.

This University, for the encouragement of Students, hath also divers Priviledges granted by several Kings of *England*, Every *Michaelmas*-day the Mayor of the Town of *Cambridge*, at the entrance into his Office, takes a Solemn Oath before the Vice-Chancellor

Chancellor, to observe and conserve the Priviledges, Liberties and Customs of this University. Moreover, on Friday before St. Simon and Jude, at a *Magna Congregatio* in St. Maries Church, allotted for the Assembly of the whole University, the Mayor brings with him two Aldermen, four Burgesses, and two of every Parish to take their Oaths before the Vice-chancellor for the due search of Vagabonds, suspected Persons, &c. At the same time are Sworn Fourteen Persons for the University, and Fourteen for the Town, to look to the Cleansing and Paving of the Streets.

The University hath also a Court-Lect held twice every year, wherein are presented all Nuisances, &c.

In *Cambridge* there are no unendowed Houses appointed for Students, as is in *Oxford*, and the Houses endowed are no more then sixteen, but those generally so large, that the number of Students is commonly little different from that of *Oxford*.

Degrees at *Cambridge* are usually taken as at *Oxford*, except in Law and Physick, whereof after six years they may take the Degree of Bachelor, and after five years more that of Doctor.

The first Tuesday of *July* is alwayes *Dies Comitiorum*, there called the Commencement, wherein the Masters of Arts, and the Doctors of all Faculties compleat their Degrees respectively, and the Bachelars of Art do theirs in *Lent*, beginning at *Ashwednesday*.

These

These are the two glorious Fountains of Learning, to the fame whereof, Forreigners come on Pilgrimage to offer up Honor and Admiration; and yet, even these had lately been like to be dried up, by the overheated Zeal of some ignorant Fanaticks.

These are the chiefeft Store houses of Lettered Men, which send forth yearly a great number of Divines, Civilians, Physicians, &c. to serve all parts of this Kingdom.

To supply these great Store-houses, there are in several parts of England, Grammar Schools, whereof the principal are *Pauls, Westminster, Winchester, Eaton, Merchant-Taylers, the Charter House*, all richly-endowed to maintain Masters, Ushers, and a certain number of Scholars; so that a childe once admitted into these Schools, if he become capable, may at length be preferred to be Scholar or Fellow in some Colledge of one of these Universities, and will want little or no assistance from his Parents, all his life time after.

Besides these, there are of late Grammar Schools founded, and endowed in almost every Market Town of England, wherein the Children of the Town are onely to be taught *gratis*, without any other allowance. But in the multiplying of these Schools, it may be doubted, whether there appeared not more Zeal then Prudence; for the Parents of such School-boys, not able to advance them to the Universities, all the rest, besides Reading and Writing, becomes useless; and the Youths, by Eight or ten years lazy living, rendred unapt for the labor

bor belonging to the more profitable Plough
 and divers Manufactures, usually turn
 either Serving-men, or Clerks to Justices
 or Lawyers, whereby they learn much Chi-
 canery, they become cunning Petty-foggers,
 multiply Law-sutes, and cozen their Coun-
 trey; or if perhaps they are set to Trades,
 that little smattering in Learning, got at
 the Grammar School, renders them com-
 monly proud, stiff-necked, self-conceited,
 unapt to be governed, apt to embrace every
 new Doctrine, Heresie, Schism, Sect, and
 Faction: Or in case their Parents are able
 to put them to the University, yet for want
 of sufficient maintenance and residence
 there, they get onely to be half-learned,
 and thereby a propensity to Preach Faction,
 Sedition, and Rebellion, to seduce those
 that are more ignorant then themselves, as
 was evident in our late unhappy troubles,
 where it was observed, that the *Seducers*
 were generally such as had been from those
 Market Latin Schools, advanced to be
 either Commoners or Servitors, for a short
 time in the University; and the *Seduced*,
 ordinarily, such as from those Schools be-
 came afterward Shop-keepers or Petty-
 foggers. If such had been endowed with
 more or perhaps with less Knowledge, they
 had probably been much more Humble,
 Loyal, and Obedient to their Governors,
 both Civil and Ecclesiastical; and there-
 fore, the late King of *Spain* consulting with
 his ablest Councillors of State for a general
 Reformation of matters that were found,
 by experience, to be inconvenient and pre-
 judicial

judicial to his Kingdoms; after mature deliberation, came to this resolution, That amongst other abuses, the great number of Countrey Grammar Schools should by a solemn *Prematica* or *Ordinance* be diminished, and the childrens time better employed at Manufactures, Trades, Husbandry, &c. Besides, upon serious consideration, it will be found that *England* is over-stocked with Scholars for the proportion of its Preferments, and for its employments for Lettered Persons, whereby it comes to pass that too many live discontented, longing for Innovations and Changes, and watching for an opportunity to alter the Government both of Church and State.

Thus the Reader hath had a small Map of a great Monarchy, the most just and easie that ever any people lived under, (except onely those who lived in *England*, before the late unparalled Rebellion) and many ways more happy then that which the great and good States man *Philip Comines*, so much admired in his days, when he declared (after he had much commended the Policy of the *Venetian Commonwealth*) That amongst all the Seigneries in the World, *England* was the Countrey where the State was best ordered; and where there was the least Violence and Oppression upon the People.

The Reader may here take notice, that a brief Account was intended to be given of all the rest of His Majesties Kingdoms, Dominions, Countreys, Territories, Plantations, and Places, which shall be reserved

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ved for another opportunity, only at present *Mantissa loco*, shall follow a Catalogue of all the Governors constituted by His Majesty in Foreign parts, together with all the Ambassadors, Envoyes, Residents, Consuls and Agents, at this time employed abroad.

After *England*, the antient Kingdom of *Scotland* hath the precedence, the chief Governor whereof under His Majesty, is the Lord Chancellour of *Scotland*, who by that Title enjoys the ordinary power and authority of a Vice-roy, and is at present the right Honourable *Joby* Earl of *Rother*.

The next is the Kingdome of *Ireland*, the Governour whereof is the Right Honourable *John* Lord *Berkley*, who, by the Title of Lord Lieutenant is as Vice-roy of *Ireland*, and lives with more splendor and grandeur then perhaps any other Vice-roy of *Europe*.

Other Dominions belong to the King of *England*, which either for number of people, or large extent, may as well deserve the name of Kingdomes, as divers Countreyes, which under the King of *Spain* have long enjoyed that Title, as *New-England*, *Virginia*, *Jamaica*, &c. but our Kings have never affected those swelling Titles.

The Governours, or Deputy-Governours of those and the rest of His Majesties Territories at present, are as followeth;

New-England, *Richard* Bellingham, *Esq*;
Virginia *Sir* William Berkley.

Jamaica, *Sir* Thomas Lynch, Deputy Governor.

Barbadoes, Lord Willoughby.

Bermudos,

Bermudos, Sir John Heydon.
New-Netherlands, now New-York, Coll.
Lovelace.

New-found-land —
St. Christopher, and the Leeward-Islands,
Sir Charles Wheeler.
Carolina, Sir John Yeoman.

In the East-Indies,
Bombaim, Mr. Anger.
Fort St. George, Mr. Foxcroft.

In Africa.
Tangier, Earl of Middleton.
Guinea —
Fersey, Sir Thomas Morgan.
Garnsey, Lord Hatton.

A List of Ambassadors, Envoyes,
Residents and Consuls.
France, Mr. Montague, only son of Lord
Montague of Boughton.

<i>Spain,</i>	{	<i>Robert, Earl</i>	{	<i>Amb.</i>	{	<i>Extra.</i>
		<i>of Sunderland,</i>				<i>Ord.</i>
		<i>Sir William Go-</i>				
		<i>dolphin:</i>				

<i>Sweden,</i>	{	<i>Henry Coventry, Amb. Ordin.</i>
		<i>Mr. Worden, Envoy Extraord.</i>
		<i>Duke of Richmond, Amb. Ext.</i>
<i>Denmark</i>	{	<i>Mr. Bertue, Envoy Extraord.</i>
		<i>Sir John Paul, Resident.</i>

Holland, Sir George Downing, Amb. Ord.
Brussels, Sir Robert Southwell, Env. Ext.
Hamburgh, Sir William Swan, Resident.
Lisbon, Mr. Parry Agent.
Venice, Mr. Dodington, Resident.

Con-

Constantinople, Sir Daniel Harvy, Am-
bassadour Ordinary.

Consuls.

Aleppo, Mr. Lannoy.

Smirna, Mr. Ricaut.

Zant, Sir Clement Harby.

Argiers, Mr. Ward.

Tunis, Mr. Erlichman.

Tripoli, Mr. Bradleigh.

Messina,

Naples,

Leghorn, Mr. Ephraim Skinner.

Genoua, Mr. Legat.

Marseilles,

Alicant,

Malaga,

Cader, Sir Martin Westcomb.

Sivil,

Canaries, Mr. Webber.

Bantam, Mr. Dacres.

F I N I S

